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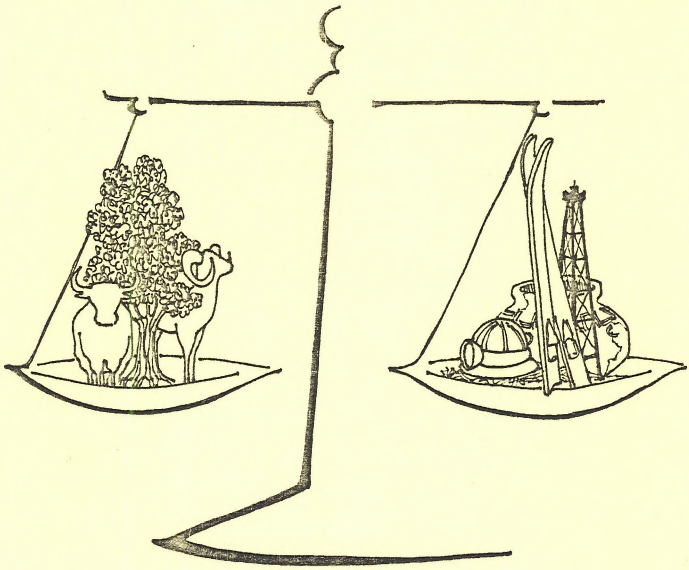

Environmental Analysis Handbook

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ENVIRONMENTAL ANALYSIS HANDBOOK

A Nevada State Guide

Nevada State Office
Branch of Planning & Environmental Coordination
Reno, Nevada

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February 1986

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INTRODUCTION

This handbook has been designed to be a guide for those persons charged with the task of documenting the environmental analysis program. Although we have tried to cover all significant areas, this handbook is not all inclusive. It is anticipated that updates will be issued as the need arises. Therefore, it is suggested this book be maintained in a binder to allow for changes.

In trying to give the user of this document some viable examples of ways to document and track environmental assessments, we have borrowed heavily and liberally from district files on environmental assessment, instruction memorandums and other agency training tools. Please keep in mind these illustrations are representative examples of documents you may find helpful, and are not intended to be used as is. The reader should feel free to adapt these examples to their needs to make them useful.

It is hoped that this handbook will provide the reader with information and guidance which will be useful now and in the future to maintain a high quality environmental analysis program in our state.

WORKING WITH NEPA

As Bureau employees, we work with separate but interrelated environments. One is the physical or natural environment under BLM jurisdiction, another is a man-made environment consisting of laws and regulations which govern the management of the physical or natural resources and the social and economic environs. A basic understanding of each is needed to adequately carry out the management of public lands.

THE NEPA PROCESS

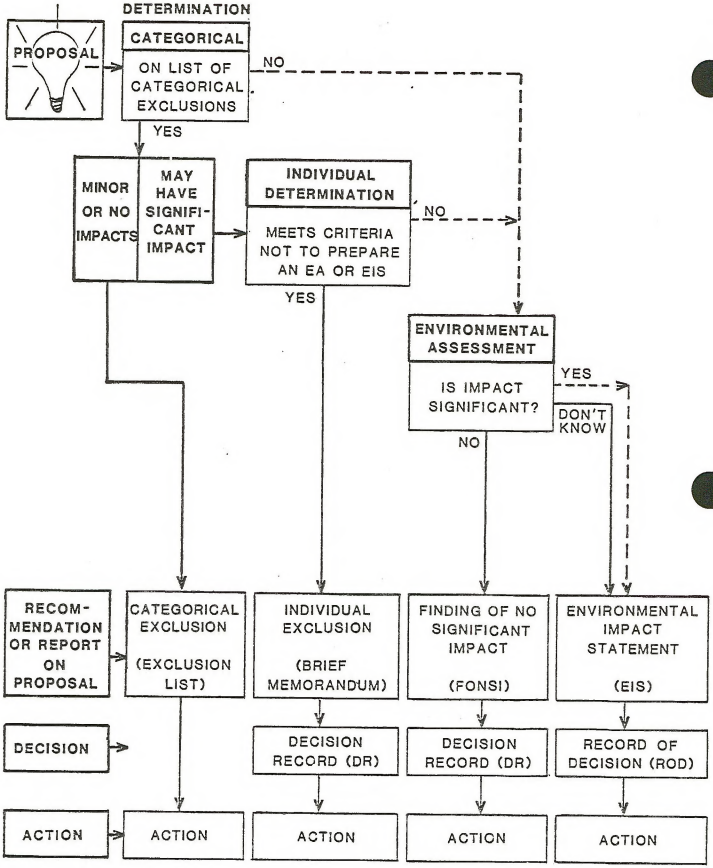
The National Environmental Policy Act (NEPA) establishes policy and goals, and provides a means for implementing that policy. It is designed to help Federal agencies do what they must to comply with procedures to achieve the goals of the Act, and to ensure they work within the spirit and letter of the Act (Section 102(2)C).

NEPA was instituted to help decisionmakers make better decisions based on an understanding of what environmental effects may occur from an action taken on the ground. It also provides for better coordination with the public and other affected governmental agencies.

Other regulations which pertain to the NEPA process and affect planning within the Bureau include Departmental Manual (516 DM), Council on Environmental Quality (CEQ) regulations, and 40 CFR 1500 and 43 CFR 1600 regulations. These regulations provide managers and field staffs with the tools to carry out the environmental analysis process.

The environmental analysis process has three levels of analysis. These are:

1. Categorical Exclusion;
2. Environmental Assessment; and
3. Environmental Impact Statement.



PROCEDURE FOR COMPLIANCE WITH NEPA SECTION 102(2)(C)

CATEGORICAL EXCLUSIONS

Categorical exclusions are actions which do not individually or cummulatively have a significant effect on the environment. These types of actions are listed in Appendix 5 of 516 DM 6. It should be noted here that although an action may be listed in Appendix 5 of the Departmental Manual, it must meet all exceptions (10) before being considered a categorical exclusion.

Categorical exclusions must be documented. The use of a form such as the one in Illustration #1, is a short but effective way of doing this. It is also required that the exceptions to these exclusions be screened and documented. This screening process helps to eliminate further unnecessary analysis.

Washington Office Memorandum 85-548, enclosure 1-4, discusses the need for further evaluation of categorical exclusions in regards to State Historical Preservation Act, Section 106 review. This deals specifically with cultural resources.

Individual Determination:

Not all categorical exclusions are "black and white" determinations. During the preliminary screening and analysis of a proposal, it may be determined that an action which is not listed as a categorical exclusion in 516 DM 6, or is listed but may have impacts, still meets the "intent" of categorical exclusion. If it can be shown through previous environmental assessments or similar actions in similar geographic areas that significant impacts will not occur, an individual determination not to prepare an EA or EIS may be made by the Area Manager or District Manager. A brief memorandum documenting the reasons and the decision must be completed and signed by the appropriate official.

Illustration #1

CATEGORICAL EXCLUSION REVIEW FORM

Project Name:_____ Date:_____

Description of Project:_____

_____

_____

Applicant:_____

Categorical Exclusion Reference (as stated in 516 DM 6):_____

_____

Exceptions Screened:

Will this Project...	Yes	No	
1. Adversely affect public health or safety?	☐	☐	
2. Adversely affect such unique characteristics as historic or cultural resources, park, recreation, or refuge lands, wilderness areas, wild or scenic rivers, sole or principal drinking water aquifers, prime farm lands, wetlands, flood plains, or an ecologically significant or critical area including those listed on the Department of Interior's National Register of National Landmarks?	☐	☐	___*
3. Have highly controversial environmental effects?	☐	☐	
4. Have highly uncertain environmental effects or involve unique or unknown environmental risks?	☐	☐	
5. Establish a precedent for future action or represent a decision in principle about a future consideration with significant environmental effects?	☐	☐	
6. Be related to other actions with individually insignificant but cumulatively significant environmental effects?	☐	☐	
7. Adversely affect properties listed or eligible for listing in the National Register of Historic Places?	☐	☐	
8. Affect a species listed or proposed to be listed on the list of Endangered or Threatened Species?	☐	☐	___*
9. Requires compliance with Executive Order 11988 (Floodplain Management), Executive Order 11990 (Protection of Wetlands), or the Fish and Wildlife Coordination Act?	☐	☐	
10. Threaten to violate a federal, state, local or tribal law or requirement imposed for the protection of the environment.	☐	☐	

CATEGORICAL EXCLUSION REVIEW FORM
(Continued)

Mitigation: _____

_____

_____

_____

_____

_____

_____

Finding of No Significant Impact/Decision Record: _____

_____

_____

Based on review of the proposal and staff recommendations, the above described action is a categorical exclusion which does not meet any of the exceptions. No further environmental analysis is required.

Prepared By (signature)	Date	Title
Reviewed By (signature)	Date	Title

This action is in compliance with the land use plan for this area.

Manager	Date

* The specialist for T&E species and Cultural Resources should initial.

ENVIRONMENTAL ASSESSMENT

The environmental assessment (EA) serves several purposes:

1. To make a recommendation of whether an environmental impact statement (EIS) is required.

2. To meet NEPA and CEQ requirements.

3. To ensure that consideration of environmental values is integrated in all levels of planning and decisionmaking in the Bureau; and to provide an understanding of what environmental consequences could occur as a result of an action.

4. To make recommendation for mitigation measures that would lessen any adverse impacts from implementation of an action, and to establish a basis for monitoring of on-the-ground activities to ensure mitigation measures are appropriate.

5. As an aid to the decisionmaker in determining other environmentally preferable alternatives which would accomplish the desired end.

6. To document the analysis process in compliance with regulation for public review and involvement.

When writing an EA, you should work through an organized and logical progression. You begin with a proposed action which may or may not have impacts on the environment. The EA process will help to determine what those impacts might be.

Scoping:

The simplest form of scoping might involve the resource specialist discussing a project with the area manager or environmental coordinator to determine whether other resources or programs need be involved. A more involved form of scoping would generally include public input through meetings, workshops, or mass mailings. The most common form of scoping for an EA will occur in-house with an interdisciplinary team (ID Team).

The impacts of a proposal are best determined through the input of resource specialists. The use of an environmental checklist, such as the one shown in Illustration #2, may be useful at this point. It can be a useful tool for the environmental coordinator as a tracking device. By having the Area or District Manager sign, the coordinator has a buy-off from management on the approach to be taken. If it is anticipated through scoping that an EIS will ultimately be required, the EA may be abbreviated to save time and effort in the long run.

The Interdisciplinary (ID) Team:

The ID Team is helpful in identifying impacts which will determine the intensity of analysis required for the EA. The team can also be helpful in suggesting alternatives and developing mitigation. The ID Team can be helpful in determining the amount of public involvement required. After the initial analysis the manager will decide whether to complete an EA or move to an EIS.

BUREAU OF LAND MANAGEMENT
EA CHECKLIST

EA Name:_____ Resource Area:_____

Lead Responsibility:_____ Activity:_____

I. Format: Date:_____

A. Minimal Level:_____
B. Intermediate Level:_____
C. High Level:_____
D. Land Use Plan Amendment:_____

II. Discription of Proposed Project:_____

_____

_____

III. Affected Resources:

RESOURCE	SPECIALIST

IV. Public Involvement:_____

_____

_____

_____

_____

IV. I concur with the chosen format, resource assignments, and public involvement:

_____ _____
Environmental Coordinator Date

_____ _____
Area Manager/District Manager Date

FORMATTING

Format is generally a matter of preference. Most districts have developed a format to be used in their district and area offices. Although there is no mandatory style of formatting, certain components must be included in every EA. These include:

1. A description of the proposed action and alternative (s).

2. A brief description of the affected environment. (This may be a separate segment of its own, or briefly discussed in a papagraph under number 1 above.)

3. A description of the environmental consequences.

   (This description must consider certain resource values including: cultural resources, threatened and endangered plants, visual resources, and wilderness values. If no effects to these are indicated, a statement must be included showing they were considered. No further discussion of these elements is required beyond this point. Any other resources affected, including social and economic factors, need to be discussed in this segment.)

4. Public involvement.

5. Participating resource specialists and reviewers.

6. Decision/recommendation.

The Proposed Action:

The proposed action should be a concise statement describing the project. It should include enough detail to analyze sufficiently the effects of the action on the environment. Any applicable standard operating procedures or standard stipulations should be included here.

Alternative (s):

When alternatives are appropriate, the alternatives developed should be viable and implementable. The scope of an action may only require the analysis of a "No Action" alternative. The "No Action" alternative is required for all EAs. If alternatives proposed are determined to be not viable or realistic, they should be discussed briefly as such and eliminated from further analysis.

Discussing Environmental Consequences:

In describing the environmental consequences (impacts), the discussion should follow the same sequence as in the description of the affected environment for each alternative. Impacts need to be fully outlined to assist management in making a decision or recommendation. One element often overlooked in environmental assessment is the social-economic implications. These should be discussed if any effects are indicated. When dealing with an action within a wilderness study area, other criteria may be required for the evaluation. Please refer to Appendix #6 of this document for evaluation criteria under the Wilderness Interim Management Policy.

Public Involvement:

This is where the documentation of consultation with other agencies, interest groups, or individuals occurs. A brief discussion of how the consultation was done must be included.

Participants and Reviewers:

A list of those involved in writing and/or reviewing the analysis should be included. The usual check-off list can satisfy this requirement, or a more formal list for high level EAs may be included. If a check-off list is used, be sure all necessary signatures are on it.

Decision/Recommendation:

In less involved EAs, the decision or recommendation may be a part of a cover memorandum, or may occur at the end of the EA. For more involved projects, a separate decision record may be prepared after review of the EA. These will include management approval or disapproval of the project.

The appropriate manager must also certify here that the action is in compliance with the land use plan. If it appears a plan amendment is required, refer to the 1600 Manual for direction on land use plan amendment procedures.

INTENSITY OF ANALYSIS

The intensity of analysis of an EA will be dependent upon the anticipated impacts of the proposal and should be commensurate with those anticipated impacts.

Often, all of the impacts are not clearly known until an EA has been written and circulated for public review. If enough comment is received, the intensity of the analysis may increase dramatically in response to public controversy. This could change a minimal or moderate level EA analysis to a high intensity analysis. It is possible that the need for an EIS would become evident.

Illustration #3 gives an example of what analysis should be done for various levels of an EA. By comparing the levels on the table, you will get some idea of how more significant impacts require a more detailed analysis.

Minimum Level:

A minimum level of analysis is required for those actions which clearly will result in no significant impacts. An example of such an analysis is shown in Illustration #4. A statement of negative impacts should be made concerning the required components of wilderness, threatened or endangered species, cultural resources, and visual resources. A standard statement can be developed and inserted on the form used for this purpose.

Moderate Level:

This level of analysis incorporates a broader spectrum of components (Illustration #3). More detailed alternatives and more intensive public involvement are included. The level of detail in analysis is also elevated, usually expanding the environmental consequences section of the report. The analysis in the environmental consequences section should be complete enough to fully explore impacts from each alternative discussed.

High Level:

Some actions require a level of analysis comparable to an EIS, although it may be determined an EIS is not needed. It is recommended that these types of EAs follow as closely as possible the format and content of an EIS. An example of this type of EA would be the Red Rock Canyon Oil and Gas Leasing EA or the FMC Paradise Peak Project. Some programmatic or aggregate EAs could fall into this level of intensity of analysis.

Projects of this nature can be easily elevated to the status of an EIS if more significant impacts arise than originally anticipated, or if public concern creates a more controversial climate. Having the EA in an EIS format will make the shift to an EIS considerably easier.

LEVEL OF INTENSITY ANALYSIS REQUIREMENTS

	MINIMAL EA	MODERATE EA	HIGH INTENSITY EA	EIS	PLAN AMENDMENT	SUPPLEMENTAL
1	Scoping	Scoping	Scoping	Scoping	Scoping	Scoping*
2	Proposed Action	Proposed Action	Proposed Action	Proposed Action	Proposed Action	Proposed Action
3		Alternatives	Alternatives	Alternatives	Alternatives	
4		Affected Environment	Affected Environment	Affected Environment	Affected Environment	Affected Environment
5	Environmental Consequences	Environmental Consequences	Environmental Consequences	Environmental Consequences	Environmental Consequences	Environmental Consequences
6			Short-term VS Long-term	Short-term VS Long-term		
7			Irreversible/Irretrievable	Irreversible/Irretrievable	Irreversible/Irretrievable	
8	Mitigation	Mitigation	Mitigation	Mitigation	Mitigation	Mitigation
9	Consultation/ Coordination	Consultation/ Coordination	Consultation/Coordination	Consultation/Coordination	Consultation/Coordination	Consultation/ Coordination
10		List of Preparers	List of Preparers	List of Preparers	List of Preparers	List of Preparers
11			Appendices	Appendices	Appendices	
12				Glossary		
13				Index		
14				References		
15	Reviewers	Reviewers	Reviewers	Reviewers	Reviewers	Reviewers
16				Public Comment	Public Comment	Public Comment*
17				Final EIS		Final*
18	Decision/ Recommendation	Decision/ Recommendation	Decision Record	Record of Decision	Record of Decision	Decision/ Recommendation

* If level of change dictates.

Minimal Level EA

EA Number:_____ Resource Area_____

Date:_____

Proposed Action: The Bureau proposes to construct a fence along the boundary between Purple Sage and Bobcat Springs allotments in the Roundup Resource Area. The purpose of the fence is to control livestock movement. The standard four-wire barbed wire type fence would be used, as specified in the standard fence drawings attached. Alternatives include not building the fence, or changing the location of the fence to mitigate adverse impacts. A cultural resource clearance will be done prior to construction.

Vegetation is semi-arid, low desert shrub type. No threatened or endangered species are known to be in the area, and it is not within a WSA. Visual resources would not be impaired by the fence. Signs of sage grouse were observed, however, it does not appear to be a large concentration of nesting sites. Blading of the fenceline will not be permitted to mitigate disturbance to any nesting sites in the area.

Public Involvement: Public involvement included consultation with the Nevada Department of Wildlife and the affected permittees.

No other alternative would result in less impacts or serve the needed purpose. This action is in compliance with the Roundup Resource Management Plan completed in November, 1985.

Review:

_____ _____
Supervisory Range Conservationist Date

_____ _____
Wildlife Biologist Date

_____ _____
Environmental Coordinator Date

Decision Record: The Bureau will build the fence as proposed, pursuant to a cultural resource inventory. No significant adverse impacts are indicated. This action is in compliance with the land use plan for the Roundup Resource Area.

Mitigation: No blading of the proposed construction site will occur to avoid disruption of any sage grouse nesting sites.

_____ _____
Area Manager Date
Roundup Resource Area

INCORPORATING EXISTING PLANS

Consulting the existing plans in the district is a part of the initial analysis for an EA. Land use plans and decision documents will be referenced in subsequent EAs or amendments. Decisions made at the activity plan level must be in compliance with decisions made in Management Framework Plans (MFPs), Resource Management Plans (RMPs), or Plan Amendments (BM 1617.22A). A statement that the proposed action is in conformance with the current land use plan should be included in the decision record. Screening the existing plans will also help with the maintenance and monitoring process for land use plans and in determining needs for an amendment. The opportunity to tier analyses can start here.

Supplemental EAs:

When a proposed action is very similar to an action which has already been analyzed in a previous EA, but it does not meet the needs of the new proposal, a supplemental EA may be appropriate. It can save time because only portions of the analysis will need to be done; the rest can be referenced from the previous EA. It is important that the writer remembers to reference all of the pertinent previous material so that a complete analysis is done. An example of the use of this process is shown in Illustration #5.

Programmatic EAs:

Programmatic EAs are done on a particular type of project. They are broad-based to cover the "typical" project. An example of a programmatic is one which covers similar pipelines, fences, or water developments in a resource area or group of allotments. Amendments or supplemental EAs would be used to identify site-specific problems or impacts for one project.

Aggregate EAs:

Aggregate EAs are generally used to cover a group of projects for a given locale, such as an allotment or group of allotments which are under an AMP/grazing system. More than one resource program could be discussed within that given area. The use of amendments and supplements would cover unique site-specific areas.

UNITED STATES GOVERNMENT

Memorandum

DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

IN REPLY REFER T

TO :

Date.

FROM :

SUBJECT: Reference of Mineral Material Sale N2-52-81 to EA# NV-020-9-29(N), Mineral Material Sale

Hank Harris proposes to collect volcanic decorative stone from the surface of public lands located in portions of Section 13 and N 1/2 of 24, T. 35N., R. 20 E., and Section 18 and N 1/2 of 19, T. 35N., R. 21 E. The rock will be hand loaded onto a 2 1/2 ton truck and transported from the sale area to a staging area to be loaded on a semi-truck.

Site specific archeological clearances will be conducted in the sale and staging areas.

The area of operation is not located within a Wilderness Study Area.

This activity is covered by subject EA# NV-020-9-29(N) and therefore no further study is deemed necessary.

Mitigating measures developed in the EA are adopted and attached to this material sale as special stipulations.

I concur:

Preparer	Date
Archeologist	Date
Watershed Specialist T/E	Date
Environmental Coordinator	Date
Area Manager	Date

ACTIVITY PLANS AND EAs AFTER THE RMP/MFP

There are several approaches to use in implementing the RMP/MFP decisions. Implementation will require more site-specific analysis than was done in the RMP/EIS, and depending upon the approach taken to activity planning, several tiers of EAs may be required.

Allotment-by-Allotment Approach (Grazing):

Most guidance available on grazing plans suggests an allotment-by-allotment plan and analysis. The categorization of allotments into priority order suggests that money and efforts should be channeled into Category I allotments first. Benefit Cost (B/C) analysis, as required on activity plans, is done on an allotment basis. However, there are other approaches to doing an environmental assessment on groups of plans.

Coordinated Activity Plans (Aggregate EA):

In the instance where program priorities result in several activities initiatting actions simultaneously within a common area (i.e., allotment or planning unit), coordination of the plans is needed. Because all the elements under the environmental analysis are basically the same, one coordinated EA could serve the purposes of all planned actions. This approach is suggested in the Bureau Manual 1619.1 - .2.

Grouping of Allotments Approach (Grazing):

Another approach which may work well for rangeland improvements would be to group allotments which are under permit to a single permittee, or perhaps a small group of permittees who share use of the same group of allotments. This would allow for analysis of a grazing system, with improvements, on a single operation. The B/C analysis could then be completed on the grouping of range improvements proposed in a grazing system covering several allotments. This could be beneficial for a permittee who uses several small allotments for one grazing operation.

Lands and Minerals Activities:

Lands actions and mineral leases often require a more focused assessment. These normally deal with a specific area being designated for a specific purpose or use. The same criteria for environmental assessment apply, and the same elements are required in the EA.

These types of activities have developed the use of a combined Land Report/EA and Minerals Report/EA (Illustration #6). The combination of these reports saves time and duplication of efforts, yet complies with NEPA requirements.

Activities Within Wilderness Study Areas (WSAs):

All proposed activities within WSAs are subject to the Interim Management Policy. Under this policy, certain evaluation criteria are explicitly required. These are listed in Appendix #6 of this Handbook.

Organization of Completed Land Report

Fornat of Land Report

The completed Land Report is organized in the following format. All sections are shown for a fully detailed Land Report. Less detailed land reports may or may not include all the sections shown in this illustration or the sections may be relocated for ease of reading and brevity. Mandatory sections that must be included in all land reports, no matter how minor the action, or where they are located, are identified by the notation of three asterisks (***).

Subject	Manual Section
1. Title Page (***)	.32A
2. Table of Contents	.32B
3. Proposed Action and Alternatives (***)	.32D1
4. Decision Record Page (***)	.32G
5. Recommendation/Rationale (***)	.32F
6. Relationship of the Proposed Action to Land Use Plans (***)	.32C
7. Environmental Documentation (***)	.32D2
8. Addendum	.32H

Note: Environmental documentation will consist of either: 1) a categorical exclusion, 2) an environmental assessment, and a FONSI, 3) an environmental assessment and environmental impact statement, or 4) an environmental impact statement. The environmental documentation section of the Land Report must at all times be maintained as a separate section in the Land Report.

LAND REPORT/DECISION RECORD/ENVIRONMENTAL ASSESSMENT

Type of Action:_____ Serial Number:_____

Applicant:_____ EA Number:_____

Address:_____ State:_____

_____ District:_____

County:_____ Resource Area:_____

Plan Area:_____ Date of Examination:_____

LANDS INVOLVED

TOWNSHIP	RANGE	MERIDIAN	SECTION	SUBDIVISION	ACRES

Prepared by:

Signature Date Title

Environmental Compliance

We have reviewed the environmental assessment and recommendations of this land use proposal and have determined that the preferred alternative and approved mitigation measures are adequate. Consideration has been given to all applicable resource values, and the preferred alternative would not have significant environmental effects on the human environment. Therefore, an environmental impact statement is not required to further analyze the environmental effects of the proposed action.

Reviewed by:

Signature	Date	Title

Compliance Officer:_____

Decision

I approve the recommendation in this report (including stipulations) as the decision of the Bureau of this proposed action. This action is in compliance with the land use plan.

Signature Date Title

FIRE REHABILITATION PLANS/EA

In recent years BLM has seen the need to develop some form of fire suppression plan to cover each district. These plans, as outlined in the Normal Fire Rehabilitation Plan (NFRP) Handbook (H-1742-1), consider and analyze resource values, areas of fire occurrence, and frequency of occurrence for a given area (usually a district). It is anticipated that a programmatic EA could and should be completed on each district fire plan.

Once an NFRP has been developed, it will point out specific areas of high resource values where rehabilitation would be a high priority after a fire. When a site-specific rehabilitation plan is implemented, a site-specific supplemental EA tiering down from the programmatic EA would also be required. However, the amount of analysis required would be minimal, as the programmatic EA should cover all but unique features encountered in the specific area under a specific proposal.

The rehabilitation plan/EA must be consistent with land use plans (RMPs/MFPs) in place in the district. They must include, at a minimum, an analysis of the proposed action including impacts to archaeological values, wilderness, and threatened and endangered species (GM 7441.26).

Upon completion and implementation of the fire rehabilitation plan/EA, monitoring should be done to determine the success or failure of the project. A Burned Area Report should be completed (H-1742-1). This, plus the Job Documentation Report (JDR), will serve the purpose of the End of Project Report. A copy of the Burned Area Report should be included in the maintenance system for MFPs and RMPs as it will have input into future land use planning efforts.

FINDING OF NO SIGNIFICANT IMPACT (FONSI)

The FONSI serves to document that no significant impacts are expected to occur as a result of the proposed action. This is a separate statement from the Decision Record, but need not be extremely long. (See example in Appendix #1.)

A checklist such as the one in Appendix #1 may be useful to the writer as well as the reviewer to ensure all points are covered.

THE DECISION RECORD

A Decision Record should include the chosen alternative, or combination of alternatives, with a brief explanation as to why that particular alternative(s) was chosen. Any stipulations or mitigation should be brought forward and listed or referenced in the Decision Record. A statement of conformance with the land use plan should be included here.

The Decision Record must be signed by the appropriate manager.

COMPLIANCE AND MONITORING

One of the most important aspects of the NEPA process occurs after the EA or EIS is completed and implementation of the project has begun. The field checks to monitor compliance with mitigation and stipulations will provide the manager with feedback on decisions. It will also provide feedback on the need for stipulations (less or more), whether mitigation is working, and whether the action is being implemented as proposed.

An End-of-Project Report has been designed for this purpose (Illustration #7). By completing this report, documentation of completion of the project and any problems which may have occurred during implementation will be included as part of the environmental assessment record.

It is sugggested that a copy of this report be filed with the current land use plan (RMP or MFP) for the area to document implementation under the plan.

END OF PROJECT REPORT

1. Project title _____ EA #_____

2. Date of field check _____

3. Date project completed _____

4. Description of proposed action:

5. Mitigation/stipulations from Decision Record:

6. Did project meet objectives stated in Purpose and Need:
   Yes_____ No _____

7. Was project completed according to description of proposed action?
   Yes_____ No _____

8. Was project located where described in proposed action?
   Yes_____ No _____

   a. If not, where was it located in relation to proposed action?

9. Were mitigation measures followed?
   Yes_____ No _____

10. Was mitigation adequate for this type of project?
    Yes_____ No _____

11. Were impacts other than those analyzed in the EA apparent?
    Yes_____ No _____

12. Were any unknown cultural resources discovered?
    Yes_____ No _____

    a. If yes, have they been reported prior to this field check?
       Yes_____ No _____

13. Explain any other deviation from the proposed action below.

_____ _____
(Signature of person making field compliance check) (Date)

_____ _____
(Reviewing Authority) (Date)

Date copy of this report was filed with appropriate land use Plan _____

ENVIRONMENTAL IMPACT STATEMENT

When it is determined through the analysis process that an EIS is required, there are several areas which will need to be expanded. (Illustration #8 - The NEPA Process)

Preliminary Preparation Plan:

When an EIS is indicated, the preliminary analysis developed for the EA can be used to complete the preparation plan. If there is not enough information in the preliminary analysis to accomplish this, then the proposal should be returned to its originator for further details. The purpose of the preparation plan is to summarize scoping activities and to define the scope of the EIS. It also provides needed information to Bureau decisionmakers on the use of available expertise and funding for preparation of the EIS. This preparation plan will be used to help the Director determine if approval for an EIS is warranted.

The preparation plan includes:

1. Description of the proposed action
2. Description of the reasonable alternatives, including No Action
3. Scoping Plan
4. List of Preparers
5. Schedule for the EIS
6. List of Issues

For EISs which are mandated by court order or Secretarial decision and delegated to State Directors, the preparation plan may be sent to the WO at the time the Notice of Intent is filed. Generally, State Office review is all that is required.

Notice of Intent/Scoping:

The filing of the Notice of Intent in the Federal Register begins the Scoping Process. The Notice will serve the purpose of informing persons or agencies interested in or affected by Federal actions, that an action has been proposed and will invite public participation from potentially affected interests.

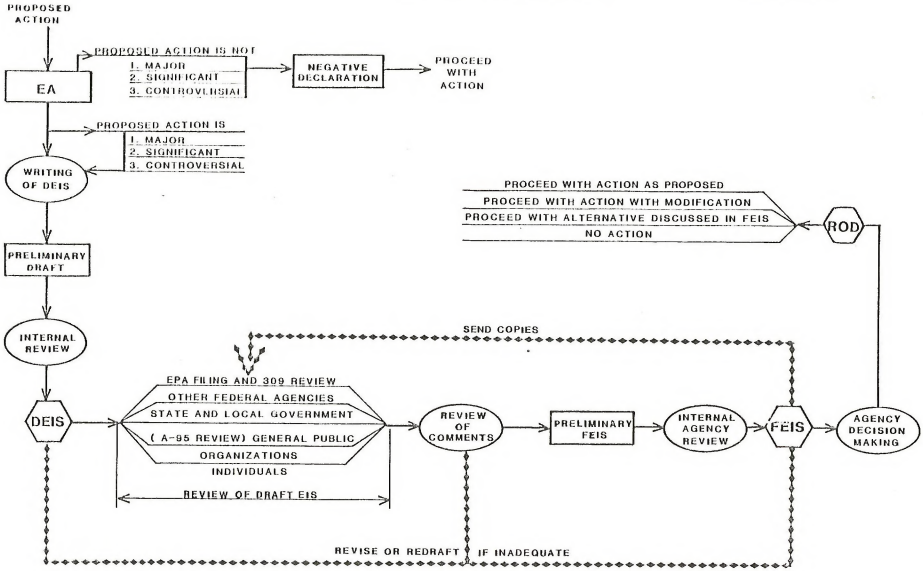
The overall purposes of scoping are to identify significant issues resulting from the proposal, to set priorities for the issues, to determine the scope of the analysis, and to help set criteria for developing a preferred alternative. Scoping also accomplishes several tasks which are included in the preparation plan (40 CFR 1501.7, and 40 CFR 1508.25.) This process will also help to eliminate issues which are not significant or have been covered in prior environmental assessments. To fully recognize the scope of the action, the proposed action and all reasonable alternatives, including no action, must be developed and included in the scoping process.

The Interdisciplinary Team:

The ID Team may be expanded to include other responsibilities in developing the EIS; these might include a technical coordinator, a writer-editor and a team leader. Sometimes it is more convenient to combine several responsibilities in one position, i.e., team leader/technical coordinator, or writer-editor/technical coordinator, etc. The disciplines of the preparers should match the scope and issues coming out of the scoping process.

THE NEPA PROCESS

Illustration 8



INFORMAL STAGES

AGENCY DOCUMENTS

OFFICIAL NEPA DOCUMENTS

EA: ENVIRONMENTAL ANALYSIS

DEIS: DRAFT ENVIRONMENTAL IMPACT STATEMENT

FEIS: FINAL ENVIRONMENTAL IMPACT STATEMENT

ROD: RECORD OF DECISION

DRAFT, FINAL, AND SUPPLEMENT

Generally, EISs are prepared in two stages, Draft and Final. When substantial changes are required due to changes in the proposal, or new information or circumstances relating to the proposed action or its impacts arise, a supplement should be prepared.

Format:

The preferred format is given in the Council on Environmental Quality Regulations (40 CFR 1500-1508). It includes the following:

I.	Summary
II.	Table of Contents
III.	Purpose and Need (Chapter One)
IV.	Alternatives (Chapter Two)
V.	Affected Environment (Chapter Three)
VI.	Environmental Consequences (Chapter Four)
VII.	Consultation and Coordination/List of Preparers (may be split into two chapters)
VIII.	Appendices
IX.	Glossary
X.	References/Bibliography
XI.	Index

Whether chapters two, three and four are arranged by issue, resource, or planning area is up to individual team preference, however, they must follow the same sequence.

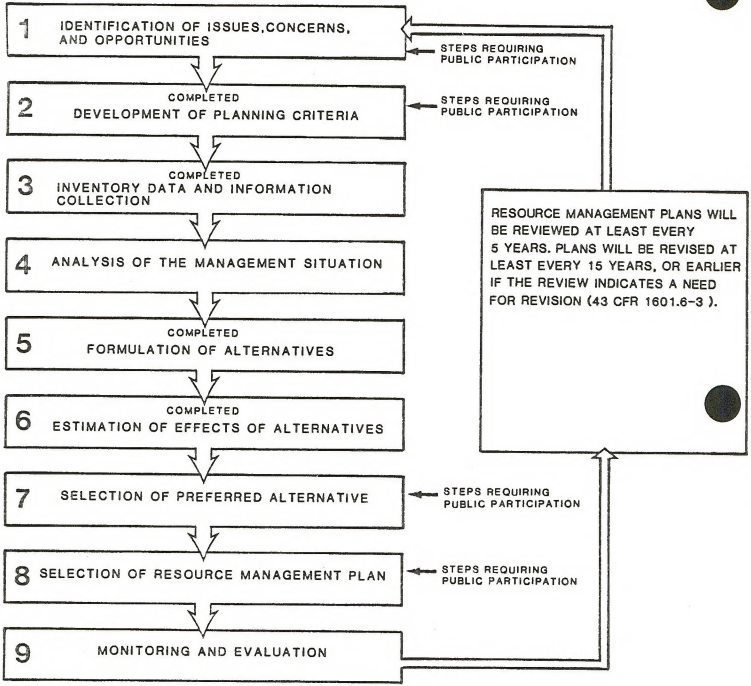
Public Involvement:

There are at least four times when public comment will be solicited. The first is during the scoping process. At this point the general public, other governmental agencies and officials (federal, state, and local), organizations, and interested individuals are asked for their input on alternatives to be analyzed in the EIS. In the case of an RMP/EIS they will be asked to voice their concerns about existing problems or potential problems that should be addressed in the land use plan or plan amendment (Illustration #9). There are several ways to solicit this input: through letters and mailings, public meetings, open houses, or workshops. Any or all can be effective.

This public input is then considered in the development and analysis of the EIS. When the draft EIS is completed, it is sent out to the public for review and comment. Public hearings may also be held, and are required when dealing with the wilderness issue. Public comment on the draft is analyzed and responded to in the final EIS. The final is also circulated for review by the public. If the document is an RMP/EIS, it is subject to protests by those who have participated in the plan process and who feel their concerns were not adequately considered. Project EISs and final EISs on wilderness are not subject to this same protest process.

The Record of Decision (ROD) is also circulated for public review. The RMP decisions can be subject to legal action by publics who feel the decisions are not adequate or do not adequately address concerns which were brought up earlier in the process. If the ROD is for a lands application, then the affected public can appeal the decisions to the Interior Board of Lands Appeals. Wilderness designations are decided by Congressional action. These designations become law and are not subject to protest or legal action.

STEPS IN THE RESOURCE MANAGEMENT PLANNING PROCESS


1 IDENTIFICATION OF ISSUES,CONCERNS, AND OPPORTUNITIES
STEPS REQUIRING PUBLIC PARTICIPATION
2 COMPLETED DEVELOPMENT OF PLANNING CRITERIA
STEPS REQUIRING PUBLIC PARTICIPATION
3 COMPLETED INVENTORY DATA AND INFORMATION COLLECTION
4 ANALYSIS OF THE MANAGEMENT SITUATION
5 COMPLETED FORMULATION OF ALTERNATIVES
6 COMPLETED ESTIMATION OF EFFECTS OF ALTERNATIVES
7 SELECTION OF PREFERRED ALTERNATIVE
STEPS REQUIRING PUBLIC PARTICIPATION
8 SELECTION OF RESOURCE MANAGEMENT PLAN
STEPS REQUIRING PUBLIC PARTICIPATION
9 MONITORING AND EVALUATION
RESOURCE MANAGEMENT PLANS WILL BE REVIEWED AT LEAST EVERY 5 YEARS. PLANS WILL BE REVISED AT LEAST EVERY 15 YEARS, OR EARLIER IF THE REVIEW INDICATES A NEED FOR REVISION (43 CFR 1601.6-3).

FILING THE ENVIRONMENTAL IMPACT STATEMENT

When the Draft Environmental Impact Statement is complete, a Federal Register Notice of Availability (Appendix #2) and a letter of transmittal to EPA need to be prepared to file the EIS in Washington. Specific procedures are outlined in Washington Office (WO) Instruction Memorandum 86-125 dated 12/2/85. A copy is included in Appendix #2. The EIS number is obtained from the Office of Environmental Project Review (OEPR) in Washington.

Five copies of the Draft EIS are then forwarded to EPA, along with the transmittal letter (Illustration #10). At the same time, the Federal Register notice is submitted for publication. When EPA receives the five copies of the document, they will return the receipt acknowledging that they have filed a Federal Register notice. EPA's notice will be published on Friday of the week following the receipt of the document. This begins the official public comment period.

When an EIS containing wilderness recommendations is involved, the Washington Office Wilderness Staff (342) will handle the filing of EISs directly (refer to WO Instruction Memorandum No. 85-632).

Distribution of the EIS:

Mailing the document to the public for review must be done the same day the EIS is filed with EPA. The EPA has stated they will not file a document which has not been released to the public at the same time, or prior to, the date of filing (40 CFR 1506.9). Examples of the letters used in mailing are included as part of Appendix #2. These letters require State Director signature and should be prepared ahead of time so they will be ready when the document is returned from the printer.

A news release is published to inform the public that the document is now availabe for review. (Appendix #2)

Record of Decision:

The Record of Decision on an environmental impact statement is completed after the end of the protest period on the final EIS, and after all protests have been responded to. The Nevada State Office has established a format for records of decision in Instruction Memorandum No. NV-85-159, dated January 30, 1985.

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

IN REPLY REFER TO

1601
(NV-010)

AUG 6 1985

Director, Office of Environmental Review
Environmental Protection Agency
A-104, EIS Registration Section
Room 2119, West Tower, Waterside Mall
401 M Street, SW
Washington, D.C. 20460

Dear Representative:

In compliance with Section 102(2) of the National Environmental Policy Act (NEPA) of 1969, the Bureau of Land Management has prepared a Draft Resource Management Plan and Environmental Impact Statement on the Elko Resource Area of the Elko District, Nevada.

In filing the DEIS (40 CFR 1503.4(c)), we are enclosing five copies of the document. We are also forwarding five copies to your regional office in San Francisco, California.

Also enclosed for your use is a receipt form (enclosure 2) with an addressed return envelope.

Sincerely,

Sgd. Edward F. Spang

Edward F. Spang
State Director, Nevada

2 Enclosures
Encl. 1 - Draft RMP/EIS (5 cys)
Encl. 2 - Receipt Form and Return Envelope

Receipt Form

Filing of Environmental Impact Statement with EPA

Five copies of the (draft or final) environmental impact statement No._____
entitled ___(fill in name of document)_____
were mailed to the Environmental Protection Agency, 401 "M" Street S.W.,
West Tower, Room 2119, Washington, D.C. 20460 on: ___(date)_____
by Edward F. Spang , Bureau of Land Management, Nevada State Office,
FTS 470-5602.

EPA Notice will be published in the Federal Register: _____

Comments will be accepted until: _____

Received by EPA: _____
(Name)

_____
(Title)

_____
(Date)

WHO REVIEWS THE ENVIRONMENTAL ASSESSMENT?

Reviewers of EAs are usually limited to "in house" resource specialists and managers. These reviews are for technical adequacy and decisionmaking. However, there are instances where other reviews are required.

Instruction Memorandum NV-84-320 consists of a Memorandum of Understanding between the Bureau and the Nevada State Office of Community Services (Clearinghouse) regarding their reviews of environmental documents. A list of documents (enclosures 1-6, 1-7, 1-8, and 1-9) which they will review is a part of the memorandum. A copy of the list is included in Appendix #3 of this handbook. Documents sent to the State Clearinghouse for review should also be sent to the State Office Planning Staff (NV-933). Nevada's Intergovernmental Review Process explaining timeframes and how the process works is also a part of IM NV-84-320.

In instances of high intensity EAs, further departmental and public review is required (see Public Participation in the EIS portion of this handbook), (CEQ Regulations 40 CFR 1502.19).

WHEN YOU REVIEW AN ENVIRONMENTAL ASSESSMENT

Specific things to consider in the review of an EA include:

(1) detailed description of the proposed action;

(2) adequate description of the impacts;

(3) were the mandatory resources considered (refer to section on Formatting an EA);

(4) has public input been sufficient to ensure effects of the action are known, and has it been documented?

The checklist in Appendix #4 can be useful in reviewing EAs.

HOW TO REVIEW AN EIS

An EIS asks and answers six questions:

1. What Actions Are Proposed? The answer is in the "Alternatives Including The Proposed Action" section of the EIS. One alternative may be called the proposed action or "preferred alternative". Or there may be a range of alternatives with none preferred over the others. The environmental impacts of the proposed action are described in the same section and in the "Environmental Consequences" section.

2. Why Is The Action Proposed? The answer is in the "Purpose and Need" section of the EIS. This is the problem or the opportunity to which the agency is responding. This could be called the "what's missing, what's broken" section.

3. What Would Happen If No Action Were Taken? The answer is the "no action" alternative in the "Alternatives Including the Proposed Action" section. This alternative describes the problem or opportunity without any new action being taken.

4. Is There Any Other Way To Accomplish What Was Expected Of The Proposed Action? These are the 'other reasonable courses of action' in the alternatives section of the EIS. All reasonable alternatives that would meet the underlying need are presented here in at least some level of detail. The environmental impacts of the alternatives are described in the same section and in the "Environmental Consequences" section.

5. Is There Any Other Way To Accomplish What Was Expected With Less Adverse Environmental Impact? These are the "mitigation measures" in the alternatives section of the EIS. All reasonable ways to avoid, minimize, rectify, restore, reduce, and compensate adverse environmental effects are in this section.

6. What Factors Will Be Used When Deciding Between Alternatives? These are the "purposes" in the "Purpose and Need" section of the EIS. These are the goals the agency wishes to achieve while meeting the underlying need. There are almost always three major kinds of purposes, or decision factors: economics, engineering, and environment.

Specific comments do the most good. Please give chapter and page references to the EIS. Constructive suggestions are the most useful.

A checklist for review of a Record of Decision is included in Appendix #4.

REVIEW BY THE ENVIRONMENTAL PROTECTION AGENCY

The National Environmental Policy Act (NEPA) requires that all Federal agencies proposing major actions which significantly affect the quality of the human environment consult with other agencies which have jurisdictional authority over such environmental concerns. The Environmental Protection Agency (EPA) is given authority to review EAs and EISs with significant effects under Section 309 of the Clean Air Act as amended (42 USC 7609, PL 91-604 12 (a), Section 102 (2)(c) of PL 91-190, Section 1424(e) of the Safe Drinking Water Act, Section 404 (r) of the Federal Water Pollution Act (Clean Water Act), PL 92-500, and PL 95-217, 86 Stat. 884, 91 Stat. 1600.

In general, the regional office of EPA will handle review of EISs. They will be involved in the following steps, and must be included in all public participation.

1. SCOPING

   EPA will review and respond by letter to all scoping requests made specifically to them.

2. REVIEW OF THE DRAFT

EPA's Regional Office must be supplied with five copies of the draft EIS. They will review and comment in writing on all draft EISs officially filed with EPA in Washington. They will provide a rating which summarizes the agency's level of concern. Their primary concern is to identify and recommend corrective action for any significant environmental impacts (as related to the laws outlined above) associated with the proposal. The ratings consist of those listed below.

Category	Follow-Up Needed
LO (Lack of Objections)	None
EC-1,EC-2 (Environmental Concerns)	Phone Call
EO-1,EO-2 (Environmental Objections)	Meeting
EO-3, EU-1,EU-2, EU-3,3 (Environmentally Unsatisfactory)	Meeting

Refer to Appendix #5 for further explanation of ratings.

3. REVIEW OF THE FINAL

EPA's Regional Office must be supplied with five copies of the Final EIS, as in #2 above. The scope of this review will be limited to issues raised by EPA in the draft which have not been resolved in the final.

For final EISs which had drafts rated as LO, EPA may choose not to make further formal comments. Written comments will be made on final EISs that involve Section 404 (r) or Section 1424 (e) issues (EPA Office of Federal Activities Policy and Procedures for Review of Federal Actions 1640, 10/03/84).

In cases involving significant mitigation requirements or where a proposed action is not clear, EPA's comments will also include a request for a copy of the Record of Decision.

4. REVIEW OF THE RECORD OF DECISION

The Record of Decision (ROD) will be reviewed for any EIS EPA has rated EO, or where specific mitigation measures have been negotiated. Any discrepancies in mitigating measures and the ROD will be noted.

Review of non-EIS actions by EPA will occur with Federal agency actions, legislation, regulations, or notices not contained in an EIS, but which could lead to or have significant environmental impacts (EPA Policy and Procedures 1640 10/03/84).

FINDING OF NO SIGNIFICANT IMPACT
ON THE FMC PARADISE PEAK PROJECT

The Bureau of Land Management, Tonopah Resource Area Office has received a proposed Plan of Operations from FMC Corporation for the development of the Paradise Peak Project, a precious metals extraction operation proposed in Nye County, Nevada about 8 miles south of the town of Gabbs. BLM has reviewed the Plan of Operations and prepared an Environmental Assessment according to BLM regulations for Surface Management under the General Mining Laws (43 CFR 3809) and the Council of Environmental Quality regulations under the National Environmental Policy Act (40 CFR 1500). A summary of the conclusions of Environmental Assessment is incorporated into this Finding of No Significant Impact. Copies of the EA and technical appendices may be obtained from the BLM Tonopah Resource Area.

Based on the Environmental Assessment and the result of formal scoping and public review for the EA, BLM has concluded the proposed Paradise Peak Project will not result in significant impacts to the human environment. An Environmental Impact Statement will not be prepared.

The major factors used by BLM in reaching our Finding of No Significant Impact are summarized in following paragraphs.

Context

The Paradise Peak Project would be developed in a rural area of central Nevada. The project site and the general region have a long history of mining. Mining is formally recognized as an important and accepted land use by Nye County, Mineral County, and BLM land use plans. Mining plays an important role in the local economy and employment. The proposed project would provide important economic and employment benefits.

Public Support

BLM conducted a formal public involvement program during preparation of the EA. This included mailings to interested persons and organizations, news releases, public scoping meetings, public review of the draft EA and meetings with local government officials. The public involvement program revealed broad public support for the proposed project.

Impact of Intensity

The proposed project would meet the standards of BLM regulations governing surface management of public lands under the general mining laws (30 CFR 3809). Implementation of the project as described in FMC's Plan of Operations, including mitigation measures identified in the EA, would not result in the undue or unnecessary degredation of public lands. Specific conclusions with regard to individual resources are discussed below:

Finding of No Significant Impact

The proposed action by FMC Corporation to mine and process ores at its Paradise Peak gold-silver deposit has been environmentally evaluated in the B.L.M. Paradise Peak Environmental Assessment (E.A.) report, NV067-EA5-2. This document presents in detail the individual and cumulative effects on the human environment of the proposed action and its integral parts. It is the decision of the responsible official that this document adequately shows that no significant impact on the human environment will occur when this operation begins and during its expected life. An environmental impact statement is therefore not necessary and will not be prepared.

General Statements

The preparation of the Paradise Peak E.A. is the direct result of submission by FMC Corporation of a mine operating plan. 43C.F.R.3809 regulations provide that B.L.M. has review authority of the plan to insure compliance with applicable federal and state laws and regulations and to determine that no undue or unnecessary degradation of federal lands occurs. Under these same regulations, any proposed action that intends to disturb more than 5 acres of federal land requires that an environmental assessment be prepared.

B.L.M.'s decision responsibility under 3809 does not include an environmental feasibility determination of the methods or technology to be employed by FMC Corporation at this operation. It is sufficent only that B.L.M. acknowledges that these factors reflect the current levels of mining and recovery methods attainable within the mining industry as a whole. B.L.M., therefore, can only react to the stated and fixed elements contained in the plan by evaluating their individual and cumulative impacts.

The data presented in the environmental assessment report supports FMC Corporation's applications to third party federal and state agencies for permits and authorizations. Denial by these agencies of the applications indicates that FMC Corporation's mitigation measures are judged insufficient. Conversely, issuance indicates impacts have been or will be reduced to tolerable levels. The elements of the environment in which B.L.M. can have no direct control can be derived from the descriptive list of permits and authorizations given in Table 1-1 of the environmental assessment document.

The requirement in 3809 which directs B.L.M. to assess and determine whether undue or unnecessary degradation of federal lands will occur provides authority to directly act to allow or disallow a plan of operations based upon the impacts to the remaining elements of the environment other than those in the third party permit list. Reclamation with three alternatives is the measure determined to offer sufficent minimizing of the long term impact on these.

B.L.M. has considered the land sale proposal included in FMC Corporation's plan of operations. B.L.M.'s authority to act on it is granted under regulations other than 3809.

Proposed Action

On June 20, 1984, FMC Corporation filed a mining plan of operations with the Tonopah Resource Area Office of B.L.M. The plan described a proposed operation to mine and process, through a fixed plant, approximately 12 million tons of gold-silver ore. The mine life is 12 years and with plant construction the total interval will be 14 years. The mine and facilities will be located 8 miles southwesterly of Gabbs, Nevada in Nye County.

Mining equipment will be diesel powered. Crushing, grinding and subsequent ore processing will be powered by electrical means. Commercial electricity will be furnished through the construction of a distribution line from Luning, Nevada.

Mining will remove an elongate hill 5480 feet at the crest to a depth elevation of 5000 feet. This will result in a pit approximately 250 Feet below the average surface elevation and 380 feet below a northern portion of the hill that will remain unmined. The areal extent of the pit is 42 acres.

Cyanide in water solution will extract the contained metals from the ore after grinding. Powdered zinc metal will be used to precipitate the valuable metals from the solution. Sulphuric acid digestion of excess zinc, high temperature retorting for mercury recovery, and furnacing of gold-silver concentrates are subsequent steps in the processing of the ore to final product sales. The process plant and other facilities will utilize 35 acres of land.

Tailing from milling will be slurry pumped to a bottom sealed impoundment area, where after settling of solids, water will be decanted and returned to the mill. The 12 million tons of ground-rock waste tailings will be held behind an earth fill dam 130 feet high and will eventually cover 135 acres.

Mined waste dumps will be established at two locations close to the mine. A low grade ore dump will also be created. The land involved will total 113 acres for these three sites.

Water development and pipeline construction will involve 7 to 12 surface acres.

Alternatives

No Action Alternatives

As required by NEPA, the No Action Alternative has been considered. Environmental analysis did not identify that undue or unnecessary degradation of federal lands will occur as the result of this operation. Supported by the document, FMC has been prompt in filing for and securing federal and state permits and authorizations. These two requirements having been met, coupled with the finding of no significant impact, effectively eliminates any basis for selection of this alternative.

Water Supply Alternative

There being no surface source of supply for water and no practical alternative to its employment in the ore processing system, evaluation well drilling has been done in three areas. These areas, South Wellfield, Kellys Well and Graben Area, if developed will have impacts as follows:

(1) vegetation - all three areas, their pipeline corridors and service roads will affect this resource. The Graben Area and Kellys Well will affect 2 more linear miles each because of their distance from the mine site as compared with South Wellfield;

(2) wildlife - the close adjacency of a prarie falcon's nesting site to the proposed water pipeline corridor from Kellys Well may cause the birds some disturbance either during the line's construction or during service or repair work; and

(3) private user rights - Kellys Well has 3 dedicated rights holders, Graben Area 2 and South Wellfield 2.

Two other criteria that have bearing on the selection of an alternative are water quality and water lifts. South Wellfield exceeds the others in water quality and will have only about one half the lifting height thereby furnishing a considerable energy savings over the 12 year life of the operation.

B.L.M.'s preferred alternative is the selected alternative and South Wellfield is the chosen site for water development. Mitigation measures will be:

(1) vegetation - reclamation both during and at the end of the operation's life.

(2) wildlife - avoidance - selection of South Wellfields Area precludes any impacts on the Prarie Falcon's nesting site.

(3) private user rights - monitoring of draw down in adjacent wells. FMC Corporation will reimburse other users for costs incurred due to increased lifts or provide alternative water sources.

Reclamation Alternative

The pertinent impacts on the various resources directly relating to reclamation alternative selection are summarized as follows:

(1) soils

a) disturbance of 339 acres

b) increased erosion

c) loss by burial

(2) vegetation

a) 339 acres of lost or reduced plant production

(3) wildlife

a) 339 acres of habitat disturbed

(4) visual

a) waste dumps and tailings dam prominent due to color contrasts

(5) geology

a) potential for creation of unstable slopes

Alternative A contains a minimum effort at reclamation that ultimately depends upon nature for success. In the interim, soils are lost through burial and revegetation depends upon natural encroachment onto near sterile surfaces. Until vegetation occurs, erosion is unimpeded, wildlife has no cover or sustenance, slopes remain unstable and color contrasts are evident. As the interval for re-establishment of the vegetative resource is estimated to be 10 years and more, considerable delay in regaining use of the disturbed areas' available values will be experienced.

Alternative B involves the same delay in re-utilization as A with the exception that the 135 acres covered by tailings are returned to use at an accelerated rate.

Alternative C, the environmentally preferred alternative, contains within it all of the actions that can be taken to insure acceleration of plant cover re-growth with concomitant reduction of lost or delayed recovery in other impacted resources. All but the 42 acres in the pit will have early benefits by its selection.

Selection of one of these alternatives has to address the apparent or anticipated need for the use and/or value of one or more of the resources contained in or inherent to the environment at this project's site. Given that each of these alternatives will eventually yield the same result it becomes a question of for what length of time can these values be forgone and, subordinate to that, how much expenditure of effort and expense should be made by FMC to accelerate the return of the land to production?

Additional to the consideration given to the impacted resources, the creation of potential mineral resources must be anticipated and addressed. FMC states that under present conditions 10% of the gold, 30% of the silver and 20% of the mercury contained in the original ore deposit will end up at the tailings deposit site. Additionally, it states one low-grade ore dump will be created of a size estimated to cover 26 acres. If prices and technology do not

advance during FMC's operating years these will remain as future exploitable deposits which may be disturbed again.

Accelerated reclamation on these sites would then be a useless expenditure and natural processes should be allowed to proceed until the possible renewal of mining/processing occurs.

A more esoteric consideration is the propensity of little known or used elements to be found in considerable quantities intimately associated with presently useful ones. Selenium, thallium, antimony and arsenic are just a few. The commonly used identification of this deposit as a "significant" deposit suggests that quantities of one or more soon-to-be useful metals may be existent in its ore and wastes. Unquantifiable at this time, it nevertheless constitutes a support for minimizing reclamation expenditures in expectation of future disturbance potentials.

One last consideration is given to the actual cost to FMC of the various alternatives. Under selection of A, FMC will expend $335,612.00 to accomplish the reclamation. The cost of B is almost twice A at $633,118.00 and C is 1.7 times B totaling $1,076,560.00.

B.L.M. has determined that Alternative B, the preferred alternative, is, with the inclusion to follow, the selected alternative. The resoiling or other reclamation techniques as approved by B.L.M. of the tailings area, besides furnishing quicker return of 135 acres to a usable and more aesthetic condition, may serve to slow and/or prevent:

(1) surface erosion;

(2) Soluble salts forming through interaction of the contained minerals/chemicals with oxygen; and

(3) further water introduction into the containment's subsurface.

B.L.M., in addition to the required actions contained in Alternative B, includes the requirement for FMC to incorporate sufficient early experimentation with its activities at the site so as to make data available for B.L.M. to determine the cost/benefit ratio for utilizing mine-run dump fines for a revegetation soil medium. Fertilization, seed introduction and seed bed preparation are to be included. Simultaneously, a separate, remote portion of a dump will be selected, graded for slope and be left for natural forces to act. Without a comparative and observable information base, B.L.M. is unable to assess if grading and natural revegetation will be sufficient and effective in preventing erosion and restoring use of the surfaces in any acceptible length of time. B.L.M., by this inclusion, reserves to a future time a final decision on the end-of-mine reclamation measures to be followed for the tailings pond and dumps' surfaces.

Land Purchase Alternative

The proposal by FMC to purchase 640 acres of non-mineralized land at the project site was made in its plan of operations. Benefits to Nye County of

$484 per year would derive, and, in private ownership, the land may eventually support activities other than mining that would contribute added taxes. The purchase of the land would relieve BLM of its management authority.

Mining claim and millsite patenting are procedures available under the 1872 Mining Law which can be used by FMC to gain title. It is an observed fact, though, that this method usually results in a highly irregular-shaped block of ground with (potentially) many pieces of federally owned surface becoming totally surrounded by private. Management of these interior parcels has been difficult in the past and disposal by direct sale has been done.

BLM has determined not to decide this alternative at this time. If and when a decision is made to proceed with the direct sale, an environmental assessment will be prepared.

OTHER IMPACTS

Vegetation A population of rare plant species, Asclepias eastwoodiana, was found at the project site that would, as work progressed, be destroyed. Mitigation measures to be followed on Category 2 candidate species have not been promulgated. The plants were transplanted to a site within one mile of two other known populations.

Wildlife Increased direct and indirect mortality and harassment of wildlife is a projected impact on the wildife on and about this project's area. FMC will monitor the wildlife mortality at the tailings pond as required by NDOW. If totals are judged to be excessive by Nevada Department of Wildlife, a cooperative effort between NDOW and FMC will be encouraged by BLM to gain purchase and installation of two guzzlers. These will furnish additional water sources for small mammals and birds away from the pond. Cost of these will be borne by FMC.

Cultural Resources Seven sites that will have direct disturbance impacts and ten sites that will be indirectly impacted have been identified at the operational site. Mitigation by inauguration of a testing and evaluation program has been done and is in progress. The Nevada State Historic Preservation Officer has been kept informed of the progress at the project and final report is forthcoming. One of the indirectly impacted sites has been identified as significant and is elegible for inclusion in the National Register. B.L.M., FMC and NSHPO are working to devise a long range management plan to protect this site.

Socioeconomics

Housing shortages are projected to continue through the operations phase of the project. FMC should continue to monitor the housing situation and encourage permanent housing construction by private developers.

Decision

It is the decision of the B.L.M. to approve the plan of operations as modified by the attached List of Conditions.

REVIEWER'S CHECKLIST FOR THE CONTENTS OF A
FINDING OF NO SIGNIFICANT IMPACT (FONSI)

FONSI Title: _____

_____

Environmental Assessment (EA) Title: _____

_____

Reviewer: _____

Date of EA: _____ Date of FONSI: _____

PART 1: CEQ REGULATIONS, 1508.13

1. Does the FONSI include the EA, or a summary of the EA? (1508.13)
yes/no page(s)_____

2. If the FONSI includes the EA, does the FONSI incorporate by reference discussions in the EA rather than repeat those discussions? (1508.13)
yes/no page(s)_____

3. Does the FONSI present the reasons why an action will not have a significant effect on the human environment? (1508.13)
yes/no page(s)_____

4. Does the FONSI state whether any other documents are related to it? (1508.13)
yes/no page(s)_____

PART 2: PUBLIC AVAILABILITY

5. Does the FONSI indicate how it will be made available to the affected public? 1501.4(e)(1)
yes/no page(s)_____

6. Is the FONSI brief? (1508.13)
yes/no page(s)_____

PART 3: LEGAL STANDARD OF REVIEW

7. Does the FONSI show that the agency "reasonably concluded" that the project will have no significant adverse environmental consequences? City of Davis v. Colemen, 521 F2d 661, 673 (9th Cir. 1975).
yes/no page(s)_____

8. Does the FONSI show that the alternatives including the proposed action will not significantly degrade some human environmental factor?
yes/no page(s)_____

9. Is the FONSI prepared according to the agency guidelines?
yes/no page(s)_____

10. Does the FONSI show that it precedes the agency's final decision on the proposed action?
yes/no page(s)_____

11. Neutral facts do not support a FONSI. Do facts stated in the FONSI show how they support a finding of no significance?
yes/no page(s)_____

12. Mitigation Measures:

a. Does the FONSI show that the mitigation measures reduce impacts below the threshold of significance?
yes/no page(s)_____

b. Does the FONSI show that the agency is committed to the mitigation measures (i.e. that the proposed action will not be taken without the measures)?
yes/no page(s)_____

13. Are all alternatives which were discussed in the EA appear in the FONSI?
yes/no page(s)_____

14. Impacts may be both beneficial and adverse. A significant effect may exist even if the Federal agency believes that on balance the effect will be beneficial. (40 CFR 1508.27(b)(1)). Does the FONSI show that beneficial, as well as adverse impacts will not be significant?
yes/no page(s)_____

15. Are environmental standards the only evidence of non-significance?
yes/no page(s)_____

REMARKS:

EIGHT FONSI PITFALLS

1. FONSI follows decision. It is a hard and fast rule that a final EIS must be prepared before the decision is made. This ensures environmental documents are available to decisionmakers and the public before decisions are made and before actions are taken. It follows that a FONSI (a determination that an EIS is not needed) would have to be prepared by the same time an EIS would have been needed.

2. Alternatives not included in the FONSI. After the FONSI, a decisionmaker can only select an alternative for which impacts have been found not to be significant. If only the proposed action appears in the FONSI, only the proposed action can be selected; work on other alternatives in the EA is lost.

3. Mitigation measures not tied to the FONSI. It is the certainty of mitigation, not the possibility of mitigation, that brings impacts below the threshold of significance. A mitigation measure must be an integral part of the proposed action or alternative action before it can be used to discount the significance of impact. Precatory measures (optional mitigation measures that "could" or "would" mitigate adverse effects) do not support a FONSI.

4. Neutral facts used to support FONSI. A neutral fact is one that without more information supports neither a finding of significance nor non-significance. Examples are: "5 acres of farmland will be converted to other uses"; "discharge will be 5 liters per cubic meter"; "wildlife disturbance will be minimal"; etc. "Significance" depends on both context and intensity.

5. Reasons impacts are not significant are not given. The reasoning process behind the conculsion of non-significance is the heart of the FONSI. Without this reasoning process the FONSI is nothing more than a bare conclusion of the final determination on significance. The reasoning process is what will be reviewed by other agencies, by the public, and by the courts, to see whether the FONSI is "reasonable." This is the agency's best opportunity to convince even the skeptics that impacts are, in fact, not significant.

6. Beneficial effects not taken into account. Beneficial impacts as well as adverse impacts must be found not to be significant. Benefits are often-times overlooked. Agencies may have a difficult time demonstrating that the project is very beneficial, of course, but the good effects are not "significant." One person's "benefit" may be another person's adverse effect.

7. All effects not taken into account. The FONSI is based entirely on the EA and comments that have been received on the EA. All effects described in the EA and brought up in review of the EA must be taken into account in the FONSI.

8. Compliance with environmental standards as sole proof of non-significance. All actions everywhere comply with environmental standards, in the long run at least. Nuclear plants, coal plants, strip mines, highways, dams, airports -- all comply with "standards." If not, those things would be shut down. An action can comply with all standards and still have significant effects.

DEPARTMENT OF THE INTERIOR 4130-85-M

Bureau of Land Management

(INT DRMP/EIS 85-)

AVAILABILITY OF THE DRAFT RESOURCE MANAGEMENT PLAN/ENVIRONMENTAL IMPACT STATEMENT FOR THE ELKO RESOURCE AREA, NEVADA

AGENCY: Bureau of Land Management (BLM), Interior.

ACTION: Notice of Availability of and Public Hearings on the Draft Resource Management Plan/Environmental Impact Statement for the Elko Resource Area, Elko District, Nevada.

SUMMARY: Pursuant to Section 102(2)(c) of the National Environmental Policy Act of 1969 and Section 202 of the Federal Land Policy and Management Act of 1976, the Elko District BLM, has prepared a combined Resource Management Plan/Environmental Impact Statement for the Elko Resource Area, Elko District, Nevada.

SUPPLEMENTAL INFORMATION: The Elko Resource Management Plan/Environmental Impact Statement is a comprehensive land use planning document which establishes management actions and objectives for resource condition and use levels, the standards of monitoring and evaluating the plan's effectiveness, and the need for more detailed management plans. It also is an environmental impact statement which analyzes the effects of implementing a multiple use

resource management plan on 3.1 million acres of public land within portions of Lander, Eureka and Elko counties in Nevada. Four alternatives were considered along with the Preferred Alternative. The Preferred Alternative includes a proposal to recommend 36,460 acres in two wilderness study areas as preliminarily suitable for wilderness designation, and 396,989 animal unit months available for livestock grazing. The affected environment is described and the environmental consequences occurring from each alternative are discussed.

FOR FURTHER INFORMATION CONTACT: Rodney Harris, District Manager, ATTN: RMP/EIS Coordinator, Bureau of Land Management 3900 E. Idaho St., Elko, NV 89801, (702) 738-4071.

Copies of the draft document are available for review at the following locations:

Office of Public Affairs
Bureau of Land Management
18th and C Streets
Washington, D.C. 20240

Bureau of Land Management
Nevada State Office
300 Booth Street
Reno, Nevada 89520
(702) 784-5448

Bureau of Land Management
Las Vegas District Office
4765 West Vegas Drive
Las Vegas, Nevada 89102
(702) 385-6403

Bureau of Land Management
Winnemucca District Office
705 East 4th Street
Winnemucca, Nevada 89445
(702) 623-3676

Bureau of Land Management
Ely District Office
Star Route 5, Box 1
Ely, Nevada 89301
(702) 289-4865

Bureau of Land Management
Carson City District Office
1050 E. William Street, Suite 335
Carson City, Nevada 89701
(702) 882-1631

Bureau of Land Management
Battle Mountain District Office
North 2nd and Scott Streets
Battle Mountain, Nevada 89820
(702) 635-5181

Elko County Library
720 Court Street
Elko, Nevada 89801

Government Publications Dept.
University of Nevada, Reno
Getchell Library
Reno, Nevada 89557

University of Nevada, Las Vegas
James R. Dickinson Library
4505 Maryland Parkway
Las Vegas, Nevada 89154

Eureka County Library
P.O. Box 21
Eureka, Nevada 89316

Lander County Library
Battle Mountain, Nevada 89820

White Pine County Library
Campton Street
Ely, Nevada 89301

Nevada State Library
Library Building
401 N. Carson Street
Carson City, Nevada 89710

A copy of the Draft RMP/EIS will be sent to all individuals, agencies and groups who have expressed interest in the Elko Resource Area planning process, and a limited number of copies are available upon request from the District Manager at the above address.

DATES: Written comments concerning issues pertinent to the Elko Resource Area RMP/EIS will be accepted until November 15, 1985. Public hearings have been scheduled for October 2, 1985, 7:30 p.m., at the Elko Convention Center, 700 Festival Way in Elko, Nevada and October 3, 1984, 7:30 p.m. at the Holiday Inn, 1000 E. Sixth Street in Reno, Nevada. Testimony concerning the issues will be accepted at these hearings. Interested individuals, representatives of organizations and public officials wishing to testify are requested to contact the District Manager for advance registration by 4:15 September 27, 1985.

/s/ Edward F. Spang

Edward F. Spang

State Director, Nevada

IN REPLY REFER TO

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
WASHINGTON, D.C. 20240

1792(202)

December 2, 1985

Instruction Memorandum No. 86-125
Expires 9/30/86

To: All SDs and DMs

From: Director

Subject: Procedures for Filing Environmental Impact Statements and Associated Resource Management Plans

The Office of Planning and Environmental Coordination is providing the enclosed filing procedures in an effort to assist Field Offices to comply with the Council on Environmental Quality requirements. These procedures must be used when filing with the Environmental Protection Agency environmental impact statements prepared in association with resource management plans.

If you have any questions or require further information please contact Rene' D. McCray at FTS 653-8830 or Commercial (202) 653-8830.

Guy E. Baier
Deputy Director, Lands and Renewable Resources
Acting

1 Enclosure:
Encl. 1 - CEQ Filing Procedures for Filing EIS's and RMP's (2 pp)

The CEQ Filing System - Procedural Instructions

The Council on Environmental Quality (CEQ) Regulations implementing the National Environmental Policy Act require all environmental impact statements (EISs), to be filed with the Environmental Protection Agency (EPA). Following are instructions detailing the procedures for filing EISs including those associated with resource management plans (RMPs).

Official Filing & Distribution

The official filing date is the day the EPA Office of Federal Activities (OFA) receives the document. The CEQ Regulations, Section 1506.9, require that "statements be filed with EPA no earlier than they are transmitted to commenting agencies and made available to the public." Transmittal (or distribution) of EISs associated with RMPs must therefore occur no later than close-of-business of the same day the document is officially filed with (received by) OFA. Because printer schedules often slip, responsible Bureau of Land Management (BLM) officials should allow an additional seven to ten days for document distribution by the printer when calculating public review periods. If there is evidence that reviewers received documents after they were received in the OFA, the OFA will re-establish the filing date in order to give reviewers the full time allowed for commenting.

When filing a RMP/EIS (draft or final) five (5) copies of the document must be mailed or delivered to the following address:

Director (A-104)
Office of Federal Activities
Environmental Protection Agency
Room 2119 Mall
Attn: Management Information Unit
401 M Street, S.W.
Washington, D.C. 20460

The EPA will not file EISs without a document distribution list. Therefore, when filing EISs, be sure that a document distribution list showing the names of all individuals, agencies, organizations, or groups is included in the document or is attached. Addresses are not required.

The responsible field official must, at the time of transmittal to the EPA, contact the Office of Environmental Project Review (OEPR) by telephone and report the title of the document filed and the date of its transmittal. The OEPR will assign the document a control number and log it in. One copy of the document should be sent to the Office of Public Affairs, three to the Natural Resources Library, and five copies to OEPR.

Encl. 1-1

Notice of Filing

The public comment period on a draft RMP and EIS and the protest period on a proposed RMP begin on the date the respective notices of filing are published by EPA in the Federal Register. Notices will be published in the Federal Register by EPA on Friday's only, and must be received by the OFA at least seven calendar days prior to the date the notice is to appear in the Federal Register. All documents received in the OFA after 3:00 pm are logged to the next business day.

It is suggested that the EPA Management Information Unit (MIU) be contacted for verification of receipt of documents at FTS 382-5075 and 5076 or Commercial (202)382-5075 and 5076. The MIU may also be contacted to determine actual filing date in the Federal Register and the minimum review period(s). The EIS review period (30 to 90 days) is calculated from the date the notice appears in the Federal Register.

Additional Distribution

Copies of documents transmitted to EPA for filing are not distributed within EPA for review. Therefore, a separate set of copies should be sent to the appropriate EPA regional office for environmental review. Any further copies required to be sent to the EPA Administrator or any Regional Administrator should be transmitted separately from, and in addition to, those submitted for filing. (See Instruction Memorandum No. 85-340 for guidelines on distribution to Assistant Secretaries and BLM program offices.)

Encl. 1-2

1792
(NV-933.5)

MEMORANDUM

To. Director, Office of Environmental Project Review, Room 4239
Interior Building

From: State Director, Nevada

Subject: Draft Elko Resource Management Plan and Environmental Impact Statement

Enclosed for your information are six copies of the Draft Elko Resource Management Plan and Environmental Impact Statement.

(State Director Signature)

1 Enclosure
Encl. 1 - Draft Elko Resource Management Plan and Environmental Impact Statement (6 cys)

EAH 2/86

1601
(NV-010

AUG 0 7 1985

MEMORANDUM

To:

From: State Director, Nevada

Subject: Draft Elko Resource Management Plan and Environmental Impact Statement

Enclosed for your information is the Draft Elko Resource Management Plan and Environmental Impact Statement. This plan analyzes several alternatives, including the Preferred Alternative. This action is a result of the Bureau's planning system and concerns proposed uses of public land resources on 3.1 million acres of public lands in the Elko Resource Area. The alternatives discussed are designed to resolve ten land use issues that were identified through public involvement during earlier stages of the planning process.

Public comments will be accepted until November 15, 1985 and must be submitted in writing to the District Manager, ATTN: RMP Team Leader, Elko District, P.O. Box 831 Elko, Nevada 89801. Public hearings have been scheduled for October 2, 1985 in Elko at the Elko Convention Center and in Reno, October 3, 1985 at the Holiday Inn, 1000 E. Sixth Street, both beginning at 7:30 p.m.

A limited number of Elko Wilderness Technical Reports are available upon request from the Elko District Office. They may be requested in writing to the address listed above.

1 Enclosure:
Encl. 1 - Draft Elko RMP/EIS

NPHELPS:tsf 08/06/85

United States Department of the Interior

BUREAU OF LAND MANAGEMENT

IN REPLY REFER TO
1601
(NV-019)

AUG 07 1985

Honorable Paul Laxalt
Suite 315, Russell Senate Office Bldg.
Washington, D.C. 20510

Dear Senator Laxalt:

Enclosed for your review is a copy of the Draft Elko Resource Management Plan and Environmental Impact Statement for the Elko Resource Area in northeastern Nevada. This document describes five alternatives for managing public lands in the Elko Resource Area. These alternatives are designed to resolve ten land use issues that were identified through public involvement during earlier stages of the planning process.

Public hearings will be held in Elko and Reno to receive oral and written testimony. The hearing in Elko will be held on October 2, 1985 at 7:30 p.m. at the Elko Convention Center, 700 Festival Way. The hearing in Reno will be held on October 3, 1985 at the Holiday Inn, 1000 E. Sixth Street also beginning at 7:30 p.m.

Your comments should be submitted before the close of business on November 15, 1985. Written comments should be sent to: Bureau of Land Management, Elko District Office, ATTN: RMP Team Leader, P.O. Box 831, Elko, NV 89801

Following the public review and comment period, a final plan and associated final environmental impact statement will be prepared considering the public comments received through the review process. An abbreviated format may be used to present this information, therefore it is suggested that this copy be retained for reference purposes.

Your interest in managing these public lands is appreciated. If you should have any questions or need further information, please do not hesitate to contact my office.

Sincerely yours,

/s/ Daniel C. B. Rathbun

For Edward F. Spang
State Director, Nevada

1 Enclosure:
Encl. 1 - Draft Elko RMP/EIS

cc: Your Carson City, Reno, and Las Vegas Offices

EAH 2/86

IN REPLY REFER TO:

United States Department of the Interior

1610
(NV-933.6)

BUREAU OF LAND MANAGEMENT
NEVADA STATE OFFICE
300 Booth Street
P.O. Box 12000
Reno, Nevada 89520

AUG 8 1985

Mr. John Walker
Nevada State Clearinghouse
Capitol Complex
Carson City, Nevada 89710

Dear Mr. Walker:

Enclosed please find 15 copies of the Elko Draft Resource Management Plan and Environmental Impact Statement, along with 15 copies of the Wilderness Technical Report for your review in accordance with 43 CFR 1610.3-2(e).

The public comment period for this draft extends until November 15, 1985. Public hearings are scheduled for October 2, 1985 in the Elko Convention Center at 7:30 p.m. and in Reno on October 3, 1985 at the Holiday Inn, 1000 E. Sixth Street, at 7:30 p.m. A briefing for the clearinghouse will be arranged as discussed previously with you on the phone.

The draft document analyzes five alternatives to resolve ten land use issues identified earlier in the planning process. Recommendations for four wilderness study areas in the planning area are also included.

We appreciate your participation in the planning process.

Sincerely Yours,

For Edward F. Spang
State Director, Nevada

2 Enclosures
Encl. 1 - Elko Resource Management Plan and Environmental Impact Statement (15 cys)
Encl. 2 - Elko Wilderness Technical Report (15 cys)

IN REPLY REFER TO:

1610
(NV-933.6)

United States Department of the Interior

BUREAU OF LAND MANAGEMENT
NEVADA STATE OFFICE
300 Booth Street
P.O. Box 12000
Reno, Nevada 89520

AUG 8 1985

Honorable Richard Bryan
Governor of Nevada
Capitol Complex Building
Carson City, Nevada 89710

Dear Governor Bryan:

This is to inform you that 15 copies of the Elko Draft Resource Management Plan and Environmental Impact Statement and Wilderness Technical Report have been forwarded to your Clearinghouse Staff for review.

This document describes five alternatives for managing public lands in the Elko Resource Area. The alternatives are designed to resolve ten land use issues that were identified through public involvement during earlier stages of the planning process. It also includes recommendations for four wilderness study areas in the planning area.

Public hearings will be held in Elko and Reno to receive oral and written testimony. The hearing in Elko will be held on October 2, 1985 at 7:30 p.m. in the Elko Convention Center. The Reno hearing will be held on October 3, 1985 in the Holiday Inn, 1000 E. Sixth Street at 7:30 p.m.

We appreciate your participation in the planning process. If you should have any questions, please contact my office.

Sincerely Yours,

For Edward F. Spang
State Director, Nevada

EAH 2/86

IN REPLY REFER TO:

United States Department of the Interior

1601
(NV-010)

BUREAU OF LAND MANAGEMENT
NEVADA STATE OFFICE
300 Booth Street
P.O. Box 12000
Reno, Nevada 89520

AUG 7 1985

Librarian:

Enclosed is a copy of the Draft Elko Resource Management Plan and Environmental Impact Statement for the Elko Resource Area, Elko BLM District, Nevada.

We would appreciate your library making this document available for public review. Your cooperation is appreciated.

Sincerely yours,

Daniel C. B. Spang

Edward F. Spang
State Director, Nevada

Enclosure

EAH 2/86

80-40

Immediately
Maxine Shane 784-5448 4/18/80
BE SURE TO DATE

NEVADA BLM News Release

ALL NEWS RELEASES ARE DOUBLE SPACED

BLM ISSUES DRAFT EIS ON POWERLINE AND MINING COMPLEX NEAR TONOPAH

Public comment is being sought by the Bureau of Land Management (BLM) on a draft environmental impact statement concerning a proposed powerline and mining complex near Tonopah.

BLM State Director Ed Spang said the proposal includes a right-of-way application from Sierra Pacific Power Co. to build a 230-kilovolt powerline across public land in Big Smoky Valley from an existing line near Austin to the proposed mining operation near Tonopah. The mining operation is planned by Anaconda Copper Co. on land about 18 miles north of Tonopah to develop molybdenum deposits. Molybdenum is used in automotive, electronic and aircraft production.

The open pit mine and mill would require about 30 megawatts of electricity when in full operation. The Anaconda project would employ about 400 persons who would remove 20,000 metric tons of ore and 80,000 metric tons of waste per day. Crushing, grinding and recovery would take place at the mill site prior to shipment to market.

All these potential impacts are analyzed in the EIS even though the mining operation itself is primarily on private land, Spang said. "This was done with the cooperation of Anaconda so that we could not only evaluate the impacts of the powerline right-of-way across public lands, but the entire operation for public examination and comment," he explained.

Public hearings on the statement are scheduled for Tonopah and Austin. The Tonopah hearing will be May 13 at 7:30 p.m. in the Tonopah Convention Center. The Austin hearing will be May 14 at 7:30 p.m. in the Austin Senior Citizen's Center. Written comments can be addressed to BLM (N-921), P.O. Box 12000, Reno, Nevada,

MORE

89520 and should be received by June 2. People wishing to testify at the hearings should contact the BLM at that same address or by calling (702) 784-5602. Information developed from these comments will be used in preparing the final EIS, Spang said.

A limited number of copies of the statement are available at BLM offices in Battle Mountain, Carson City, Elko, Ely, Las Vegas, Reno and Winnemucca. Reading copies are on file at public libraries in Battle Mountain, Carson City, Elko, Ely, Eureka, Fallon, Goldfield, Hawthorne, Las Vegas, Reno, Tonopah and the University of Nevada libraries in Reno and Las Vegas.

END

EXHIBIT I

BUREAU ACTIVITIES IN NEVADA TO BE PROVIDED TO THE STATE

Activity	Activity Level	Report Time
1. Land Use Planning Documents		
a. Resource Management Plans (RMPs) and amendments (eg., wilderness)	As provided in Bureau Planning Regulations (43 CFR 1600) and at the alternatives formulation stage.	a. When a notice of intent is prepared. b. When planning criteri are ready for review c. When alternatives are being defined. d. When the draft resource management plan and environmental impact statement is published. e. When the final resource manage plan and enviro tal impact statement is published and file with the Environmenta Protection Agency.
b. Significant Activity Plans (e.g., Allotment Management Plans, Habitat Management Plans, Recreation Management Plans, Wild Horse Management and Gathering Plans, Vegetation Manipulation Plans, etc.)	All with map designating area.	
c. Rangeland Program Summary	For information only.	

Activity	Activity Level	Report Time
2. Environmental Impact Statements	All draft and final environmental impact statements as provided for in the Council of Environmental Quality regulations for implementing the National Environmental Policy Act (40 CFR 1500)	a. When a notice of Intent is prepared. b. When scoping activities are scheduled. c. When a draft environmental impact statement is published. d. When a final environmental impact statement is prepared and filed with the Environmental Protection Agency.
3. Lands		
a. *Significant Land disposals (Recreation & Public Purposes, Desert Land Entries, Sales, Carey Act)	All with map designating area.	Upon submission of draf environmental assessmen at least 60 days prior to offering disposal.
b. *Significant land exchanges	All with map designating area	Upon submission of draf environmental assessmen at least 60 days prior to offering exchange.
c. *Significant land acquisition	All with map designating area.	Upon submission of environmental assessment
d. Rights-of-way	Proposed construction of powerlines in excess of 30 KV *significant pipelines including oil and gas, slurry lines, highways, including State and Interstate highways and *significant communication facilities.	When the draft environmental impact statement or draft environmental assessment is complete.
e. *Significant withdrawals of lands	All with map designating area	When proposals are developed or when environmental impact statements are required.
f. Solid or hazardous waste disposal sites	All	When a draft environmental impact statement or environmental assessment is complete.

Activity	Activity Level	Report Time
g. Oil and gas and geothermal programmatic environmental assessments and major revisions and site specific environmental assessments dealing with sensitive areas identified in programmatic documents	All	When a draft environmental impact statement or environmental assessment is complete.
4. Construction		
a. Road	*Significant roads or planned roads having connecting termini with State roads.	Plan in initiation stages.
b. Dam or Reservoir	Dams of ten or more feet in height with reservoirs which will impound more than ten acre-feet of water or smaller when it could affect Dept. of Wildlife's operation	Plan in initiation stages.
c. Recreational	Where it will affect State or Local responsibilities	In the conceptual master planning (i.e., the recreation activity management plan phase of development)
d. Bureau initiated sewage treatment and solid waste disposal	Projects requiring review by Environmental Protection Agency and/or by the State Division of Environmental Protection	When preliminary plans are developed.
5. Research involving the management and protection of public lands	When a project may potentially affect or impact a community or communities in the project area or when it may affect ongoing plans and programs of State agencies or where joint efforts may be possible	When preliminary plans are developed.

*Significance is a management determination based upon the size, location, environmental impact and relative level of controversy associated with a proposed project and its relation to State responsibilities, programs, and the expressed interest of the State.

REVIEWER'S CHECKLIST FOR THE CONTENTS OF AN
ENVIRONMENTAL ASSESSMENT (EA)

EA Title: _____

_____

Date of EA: _____ Reviewer: _____

PART 1: CEQ REGULATIONS, 1508.9

1. Does the EA include a brief discussion of the need for the proposal? 1508.9(b)
   yes/no page(s)_____

2. If the proposal involves unresolved conflicts concerning alternative uses of available resources, does the EA describe appropriate alternatives to recommended courses of action? 1508.9(b); NEPA 102(2)(E)
   yes/no page(s)_____

3. Does the EA include brief discussions of the environmental impacts of the proposed action and alternatives? 1508.9(b)
   yes/no page(s)_____

4. Does the EA include a listing of agencies and persons consulted? 1508.9(b)
   yes/no page(s)_____

5. Does the EA show on its face that it was prepared utilizing a systematic, interdisciplinary approach integrating the natural and social sciences and VRM with planning and decisionmaking? 1508.9(a)(2); NEPA 102(2)(A)
   yes/no page(s)_____

6. Does the EA quantify environmental amenities and values so that they may be given appropriate consideration in decisionmaking along with economic and technical considerations? 1508.9(a)(2); NEPA 102(2)(B)
   yes/no page(s)_____

7. Has benefit/cost analysis been considered for the project?
   yes/no page(s)_____

8. Does the EA initiate and utilize economics information in the planning and development of resource-oriented projects? 1508.9(a)(2); NEPA 102(2) (H)
   yes/no page(s)_____

PART 2: THE QUESTION OF SIGNIFICANCE, CEQ REGULATIONS 1508.27(b)

Endangered Species Act

9. Does the EA state whether the alternatives (including the proposed action)

   a. may affect a listed endangered or threatened species? ESA 7(a)(2)
      yes/no page(s)_____

   b. may adversely modify a critical habitat? ESA 7(a)(2)
      yes/no page(s)_____

   c. may result in construction and/or a construction contract? ESA 7(c)
      yes/no page(s)_____

Heritage Conservation

10. Does the EA state whether the alternatives (including the proposed action) may have an effect on

   a. access to religious sites or ceremonial rites of the Native American?
      yes/no page(s)_____

   b. a property listed on the National Register of Historic Places?
      yes/no page(s)_____

   c. a property eligible for listing on the National Register of Historic Places?
      yes/no page(s)_____

   d. a property listed on the National Registry of Natural Landmarks?
      yes/no page(s)_____

   e. a property listed as a National Historic Landmark?
      yes/no page(s)_____

   f. a property listed on the World Heritage List?
      yes/no page(s)_____

11. Does the EA state whether the alternatives (including the proposed action) may include the excavation, removal, damage, alteration, or defacing of any archaeological resource located on public lands or on Indian lands or on lands the fee title to which is held by the United States?
      yes/no page(s)_____

State and local program consistency. "We note at the outset that where a Federal project conforms to existing land use patterns, zoning, or local plans, such conformity is evidence supporting a finding of no significant impact." Preservation Coalition, Inc., v. Pierce, 667 F.2d 851 (9th Cir. 1982).

12. If the alternatives (including the proposed action) include (i) direct Federal development, or (ii) Federal assistance, Federal financial assistance, or a Federal assistance program, does the EA state whether the alternatives are consistent to the maximum extent feasible with State, areawide and local plans and programs?
      yes/no page(s)_____

Permits

13. Does the EA state whether the alternatives (including the proposed action) include the deposit of fill material or an excavation that in any manner alters or modifies the course, location, condition, or capacity of a navigable water of the United States?

yes/no page(s)_____

14. Does the EA state whether the alternatives (including the proposed action) include the discharge of dredged or fill material into water of the United States?

yes/no page(s)_____

15. Does the EA state whether the alternatives (including the proposed action) require a Federal Water Pollution Control (Clean Water) Act Section 404 permit?

yes/no page(s)_____

16. Federal land management agency permit:

    a. Does the EA state whether the alternatives (including the proposed action) include the use of public lands not in accordance with the primary objective of the management of those lands?

    yes/no page(s)_____

    b. Does the EA state whether the alternatives (including the proposed action) require a Federal land managing agency (NPS, FWS, FS, BLM) permit?

    yes/no page(s)_____

Pollution control

17. Air. Does the EA state whether the alternatives (including the proposed action) are affected by National Ambient Air Quality Standards (primary and secondary)?

yes/no page(s)_____

18. Drinking water. Does the EA state whether the alternatives (including the proposed action)

    a. are affected by the National Interim Primary Drinking Water Regulations (EPA or State which has assumed primacy)?

    yes/no page(s)_____

    b. are affected by the National Secondary Drinking Water Regulations (EPA or State which has assumed primacy)?

    yes/no page(s)_____

    c. affect a sole-source aquifer?

    yes/no page(s)_____

19. Noise. Does the EA state whether the alternatives (including the proposed action) are affected by noise standards?

yes/no page(s)_____

20. Pesticides. Does the EA state whether the alternatives (including the proposed action)

a. are affected by regulations on the storage and disposal of pesticides and pesticide containers?

yes/no page(s)_____

b. are affected by regulations on the purchase and use of pesticides?

yes/no page(s)_____

PART 3: THE QUESTION OF SIGNIFICANCE, CEQ REGULATIONS 1508.27

21. Context. Are the alternatives (including the proposed action) analyzed

a. in several contexts, such as society as a whole, the affected region, the affected interests, and the locality? 1508.27(a)

yes/no page(s)_____

b. for (i) short-term and (ii) long-term effects? 1508.27(a)

yes/no page(s)_____

22. Intensity. Are the alternatives (including the proposed action) analyzed

a. for (i) beneficial and (ii) adverse impacts? 1508.27(b)(1)

yes/no page(s)_____

b. for effects on public safety? 1508.27(b)(2)

yes/no page(s)_____

Does the EA state whether

c. the effects on the quality of the human environment are likely to be highly controversial? 1508.27(b)(4)

yes/no page(s)_____

d. the possible effects on the human environment are highly uncertain or involve unique or unknown risks? 1508.27(b)(5)

yes/no page(s)_____

e. the action may establish a precedent for future actions with significant effects or represents a decision in principle about a future consideration? 1508.27(b)(6)

yes/no page(s)_____

f. the action is related to other actions with individually insignificant but cumulatively significant impacts (significance cannot be avoided by terming an action temporary or by breaking it down into small component parts)? 1508.27(b)(7)

yes/no page(s)_____

PART 4: HOW THE EA WAS PREPARED

23. Does the EA state how the following groups were involved in preparation of the EA? 1501.4(b)

    a. Environmental agencies?
    yes/no page(s)_____

    b. Applicants?
    yes/no page(s)_____

    c. The Public?
    yes/no page(s)_____

PART 5: MISCELLANEOUS

24. Is the EA concise? 1508.9(a)
    yes/no page(s)_____

25. Does the EA state on its face how it will be made available to the public? 1508.9(a)
    yes/no page(s)_____

26. Does the EA show that the agency "has taken a 'hard look' at environmental consequences"? Kleppe v. Sierra Club, 427 U.S. 390, 410 n. 21 (1976).
    yes/no page(s)_____

REMARKS:

CHECKLIST FOR THE CONTENTS OF A
RECORD OR DECISION (ROD)

Record of Decision Title: _____

_____

Final EIS/EA Title (if different from above ROD title): _____

_____

Reviewer: _____

Date of Final EIS/EA: _____ Date of ROD: _____

DECISION (Refer to Instruction Memorandum NV-85-159, dated 1/30/85).

1. Does the ROD state what the decision was? 1505.2(a)
   yes/no page(s)_____

2. Does the ROD identify all alternatives considered in reaching the decision? 1505.2(b)
   yes/no page(s)_____

3. Does the ROD specify which alternative or alternatives were considered to be environmentally preferable, and why? 1505.2(b)
   yes/no page(s)_____

4. Does the ROD (i) identify and (ii) discuss all relevant factors including any essential considerations of national policy which were balanced by the agency in making its decision? 1505.2(b)
   yes/no page(s)_____

5. Does the ROD state how those factors identified and discussed in question 4 entered into the decision? 1505.2(b)
   yes/no page(s)_____

6. If the chosen alternative was not an environmentally preferable alternative, does the ROD state why an environmentally preferable alternative was not chosen? 1505.2(b); 1500.2(f)
   yes/no page(s)_____

MONITORING AND ENFORCEMENT

7. Does the ROD state whether any applicable monitoring enforcement program has been adopted? 1505.2(c)

yes/no page(s)_____

8. Does the ROD summarize monitoring and enforcement programs which have been adopted? 1505.2(c)

yes/no page(s)_____

9. Is the ROD concise? 1505.2

yes/no page(s)_____

10. Does the ROD state on its face how it will be made publicly available? 1505.2

yes/no page(s)_____

11. Does the ROD state on its face that no decision has been made until the later of the following dates: (1) ninety (90) days after publication of the notice for a draft EIS; (2) thirty (30) days after publication of the notice for a final EIS? 1506.10(b)

yes/no page(s)_____

12. State and local plans and programs. If any of the alternatives include taking an action which is direct Federal development and/or Federal assistance, does the ROD explain (1) how state and local agencies will be notified of actions taken (implementing, timing, postponement, abandonment, etc.), and (2) any actions taken contrary to State and local agency recommendations?

yes/no page(s)_____

REMARKS:

NEPA and Section 1424(e) of SDWA, and state that the project is a candidate for both referral to the CEQ and a Section 1424(e) determination.

4. RATING SYSTEM CRITERIA.

a. Rating the Environmental Impact of the Action.

(1) LO (Lack of Objections). The review has not identified any potential environmental impacts requiring substantive changes to the preferred alternative. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposed action.

(2) EC (Environmental Concerns). The review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact.

(3) EO (Environmental Objections). The review has identified significant environmental impacts that should be avoided in order to adequately protect the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). The basis for environmental objections can include situations:

(a) Where an action might violate or be inconsistent with achievement or maintenance of a national environmental standard;

(b) Where the Federal agency violates its own substantive environmental requirements that relate to EPA's areas of jurisdiction or expertise;

(c) Where there is a violation of an EPA policy declaration;

(d) Where there are no applicable standards or where applicable standards will not be violated but there is potential for significant environmental degradation that could be corrected by project modification or other feasible alternatives; or

(e) Where proceeding with the proposed action would set a precedent for future actions that collectively could result in significant environmental impacts.

(4) EU (Environmentally Unsatisfactory). The review has identified adverse environmental impacts that are of sufficient magnitude that EPA believes the proposed action must not proceed as proposed. The basis for an environmentally unsatisfactory determination consists of identification of

environmentally objectionable impacts as defined above and one or more of the following conditions:

(a) The potential violation of or inconsistency with a national environmental standard is substantive and/or will occur on a long-term basis;

(b) There are no applicable standards but the severity, duration, or geographical scope of the impacts associated with the proposed action warrant special attention; or

(c) The potential environmental impacts resulting from the proposed action are of national importance because of the threat to national environmental resources or to environmental policies.

b. Adequacy of the Impact Statement.

(1) "1" (Adequate). The draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

(2) "2" (Insufficient Information). The draft EIS does not contain sufficient information to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the proposal. The identified additional information, data, analyses, or discussion should be included in the final EIS.

(3) "3" (Inadequate). The draft EIS does not adequately assess the potentially significant environmental impacts of the proposal, or the reviewer has identified new, reasonably available, alternatives, that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. The identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. This rating indicates EPA's belief that the draft EIS does not meet the purposes of NEPA and/or the Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS.

5. APPROVING AND DISTRIBUTING COMMENTS ON DRAFT EIS'S.

a. Categories LO, EC, EO, 1, or 2. For draft EIS's rated LO, EC, EO, 1, or 2 the comments will be signed by the appropriate regional or Headquarters official and the ERC will distribute EPA's comments in accordance with subparagraph 5c of this chapter.

b. Categories EU or 3. For draft EIS's where the ERC is proposing a rating of EU or 3, the EPA comment letter must be cleared by the Assistance Administrator for External Affairs prior to release. If the review is a regional action, the draft letter will be submitted through the OFA for clearance. The draft comment letter must be submitted at least 5 working days prior to the due date and the proposed rating must have been approved by the regional signing official. In every case where a draft statement has been rated EU or 3, the Assistant Administrator, OEA, will send a copy of the EPA comment letter to the CEQ. In addition, where the EPA has commented to a regional office of the originating agency, appropriate officials within the headquarters office of the originating agency will also be informed. If a communications strategy has been developed for the action, the release of information should follow that strategy.

c. Checklist for Distribution of Agency Comments on the Draft EIS.*

Addressee	Number of Copies
Agency submitting statement	Original
CEQ (if EU or 3) with transmittal letter	1 copy
Office of Public Affairs (if comments are rated EU or 3)	1 copy
EPA offices which served as associate reviewers	1 copy
Office of Federal Activities Attn: MIU	2 copies

6. REPORTING AND CONTROL. All draft EIS's under review, all time extensions, and all comment letters on draft EIS's will be entered in the MIU data management system. All EPA comment letters and associated correspondence on draft EIS's will be retained in the official project file.

*To the maximum extent practicable, the comment letter should not be distributed to parties outside of the EPA until after the original has been received by the lead agency.

SUMMARY OF RATING DEFINITIONS
AND FOLLOW-UP ACTION

Environmental Impact of the Action

LO - Lack of Objections
The EPA review has not indentified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC - Environmental Concerns
The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO - Environmental Objections
The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substamtial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU - Environmentally Unsatisfactory
The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of public health or welfare or environmental quality. EPA intends to work with the lead agency to reduce these impacts. If the potential unstatisfactory impacts are not corrected at the final EIS stage, the proposal will be recommended for referral to the CEQ.

*From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment.

SUMMARY OF RATING DEFINITIONS
AND FOLLOW-UP ACTION

Adequacy of the Impact Statement

Category I - Adequate
EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2 - Insufficient Information
The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3 - Inadequate
EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses or discussions are of such a magnitude that they should have full public reivew at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From EPA Manual 1640 Policy and Procedures for the Review of Federal Actions Impacting the Environment.

INTERIM MANAGEMENT POLICY AND GUIDELINES FOR LANDS UNDER WILDERNESS REVIEW

U.S. Department of the Interior
Bureau of Land Management

December 12, 1979

2. **Evaluation Under the Nonimpairment Standard.** BLM field officials will cooperate with applicants to help identify ways by which a proposal can be brought into compliance with the nonimpairment standard, whenever possible. A proposed activity satisfies the nonimpairment standard if the BLM determines that it meets each of the following criteria, which are referred to as the "nonimpairment criteria":

a. It is temporary. This means that the use or activity may continue until the time when it must be terminated in order to meet the reclamation requirement of paragraphs (b) and (c) below. A temporary use that creates no new surface disturbance may continue unless Congress designates the area as wilderness, so long as it can easily and immediately be terminated at that time, if necessary to management of the area as wilderness.

b. Any temporary impacts caused by the activity must, at a minimum, be capable of being reclaimed to a condition of being substantially unnoticeable in the wilderness study area (or inventory unit) as a whole by the time the Secretary of the Interior is scheduled to send his recommendations on that area to the President, and the operator will be required to reclaim the impacts to that standard by that date. If the wilderness study is postponed, the reclamation deadline will be extended accordingly. If the wilderness study is accelerated, the reclamation deadline will not be changed. A full schedule of wilderness studies will be developed by the Department upon completion of the intensive wilderness inventory. In the meantime, in areas not yet scheduled for wilderness study, the reclamation will be scheduled for completion within 4 years after approval of the project. (Obviously, if and when the Interim Management Policy ceases to apply to an inventory unit dropped from wilderness review following a final wilderness inventory decision of the BLM State Director, the reclamation deadline previously specified will cease to apply.) The Secretary's schedule for transmitting his recommendations to the President will not be changed as a result of any unexpected inability to complete the reclamation by the specified date, and such inability will not constrain the Secretary's recommendation with respect to the area's suitability or nonsuitability for preservation as wilderness.

The reclamation will, to the extent practicable, be done while the activity is in progress. Reclamation will include the complete recontouring of all cuts and fills to blend with the natural topography, the replacement of topsoil, and the restoration of plant cover at least to the point where natural succession is occurring. Plant cover will be restored by means of reseeding or replanting, using species previously occurring in the area. If necessary, irrigation will be required. The reclamation schedule will be based on conservative assumptions with regard to growing conditions, so as to ensure that the reclamation will be complete, and the impacts will be substantially unnoticeable in the area as a whole, by the time the Secretary is scheduled to send his recommendations to the President. ("Substantially unnoticeable" is defined in Appendix F.)

c. When the activity is terminated, and after any needed reclamation is complete, the area's wilderness values must not have been degraded so far, compared with the area's values for other purposes, as to significantly constrain the Secretary's recommendation with respect to the area's suitability or nonsuitability for preservation as wilderness. The wilderness values to be considered are those mentioned in section 2(c) of the Wilderness Act, including naturalness, outstanding opportunities for solitude or for primitive and unconfined recreation, and ecological, geological or other features of scientific, educational, scenic, or historical value.

3. **Information for the Evaluation.** The information needed to reach conclusions on the nonimpairment criteria cited above will be documented in the environmental assessment (EA) or environmental impact statement (EIS) that is routinely prepared for every proposed action on public lands. A normal EA or EIS determines and records whether the activity will cause unnecessary or undue degradation of the lands. For lands under wilderness review, the EA or EIS for the proposed action will also address the nonimpairment standard. It will include the following information, most of which is already required by the normal EA or EIS procedure:

a. A description of the proposal and its alternatives, including:

- Purpose and need for the action
- Exact location
- Access required, including projected use and location
- Design considerations such as size, color, and materials
- Support facilities or structures
- Construction methods, including machinery or vehicles to be used
- Maintenance schedules and procedures
- Miles and/or acres of soil and vegetation disturbance.

b. A description of the affected environment, considering both the specific site and the wilderness study area (or inventory unit) in its entirety:

- Meaningful descriptions of soils, erosion potential, vegetation, reclamation potential, topography and climate including precipitation
- Existing uses and manmade or man-caused features
- Wilderness characteristics as documented in the intensive inventory report
- Discussion of scenery characteristics, vistas, key viewing areas and visitor use areas.

c. Analysis of reclamation:

- What the particular reclamation plan will accomplish

— How the process will be implemented (type and amounts of hand and machine work)

— Vegetation to be reestablished

— Schedule

— Probability for success

— If a reclamation plan is not available or is inadequate, assess what measures would be needed to return the disturbed areas to the required reclamation level.

d. Written assessment of cumulative impacts including the following:

— If the project's impacts (after reclamation) had existed at the time of intensive inventory, would those impacts have disqualified the area from being identified as a wilderness study area?

— Will the addition of this proposal produce an aggregate effect upon the area's wilderness characteristics and values that would constrain the Secretary's recommendation with respect to the area's suitability or nonsuitability for preservation as wilderness, considering the area in its expected condition at the time the Secretary sends his recommendation to the President?

— For wilderness study areas that are pristine in character, will the addition of this proposal significantly reduce the overall wilderness quality of the WSA?

C. Decisions and Appeals

BLM decisions will continue to be made through existing procedures by those officials having delegated authority. IMP considerations will be factors in these decisions, but the decision authority, procedures and documentation will remain unchanged. The determination as to whether the project complies with the Interim Management Policy must be included in any decision documents and recorded in appropriate case files, as well as in the WSA files described in section E, below. Appeal procedures remain the same as provided by regulations governing the decision appealed. Applicants who are adversely affected by a management decision within lands under wilderness review will be informed of appeal procedures.

D. Enforcement

BLM will take all actions necessary to ensure full compliance with the Interim Management Policy. Every effort will be made to obtain voluntary compliance with the Interim Management Policy by users of the public lands. Where such efforts fail, BLM will promptly initiate additional appropriate action to achieve immediate compliance with the Interim Management Policy.

If unauthorized activities result in surface disturbance or other degradation of the area's suitability for preservation as wilderness, legal action will be initiated as appropriate to obtain full restoration of the area. Impacts resulting from unauthorized activities will not disqualify an area from WSA status.

All action to achieve compliance with the Interim Management Policy will be initiated pursuant to existing regulations governing the noncomplying activity.

In addition to normal enforcement procedures, the following additional steps must be taken whenever a District Manager believes an activity is taking place on lands under wilderness review that is not in compliance with the Interim Management Policy:

1. Immediately contact the owner of the operation, in any manner that can be verified with documentation. Explain the situation and, depending on the situation or activity, seek the owner's assistance in bringing the operation into compliance with the IMP.

2. If this approach does not resolve the matter, notify the State Director so that additional appropriate action may be taken immediately to prevent impairment of the area's wilderness suitability. The State Director will work with the Regional Solicitor to initiate appropriate legal action, if necessary. Send a copy of the case file to the Director, Bureau of Land Management, for transmittal to the Office of the Solicitor, Division of Energy and Resources, for information.

Criminal penalties are prescribed for prohibited acts under section 303 of FLPMA (43 USC 1733) and under the following other laws and regulations relevant to the Interim Management Policy:

— Range Management
Unauthorized grazing use: 43 CFR 4140.1(b), 4150.1, 4170.2, 4210.4, 9239.2–1, 9239.3
Wild Free-Roaming Horse and Burro: 43 CFR 4760.2; 18 USC 3401

— Timber Management
Unauthorized cutting of timber — mineral and nonmineral lands and public lands in Alaska: 43 CFR 5511.1–1(f)(3), 5511.1–4(e), 5511.1–4(f), 5511.2–5, 9239.1–1, 9239.1–2; 18 USC 1852, 1853

— Recreation Management
Public property and resources: 43 CFR 8363.1–6, 8363.5
Public land closures: 43 CFR 8364.2, 9239.2–1
Special recreation permits: 43 CFR 8372.0–7; 18 USC 3401, 16 USC 460 l–6a, 16 USC 670 g-n, 16 USC 1241–1249
Off-road vehicle use: 43 CFR 8340.0–7

— Minerals Management
Coal trespass — unauthorized exploration: 43 CFR 9239.5; 18 USC 1851.

E. Record Keeping

The BLM District Office will maintain an individual file for each wilderness study area or inventory unit. In addition to the required inventory documentation, this file should be used to record all actions (including authorized access routes) that are proposed or authorized after the effective date of this policy and to

BLM Library
D-553A, Building 50
Denver Federal Center
P. O. Box 25047
Denver, CO 80225-0047

Form 1279-3
(June 1984)

BORROWER

TD 194.6 .N48 1

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